

RECRUITMENT PRACTICES

OF MIGRANT WORKERS IN BELIZE, EL SALVADOR,
GUATEMALA, HONDURAS AND MEXICO



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San Jose, Costa Rica
Tel: +(506) 2212-5300
Email: rosanjose@iom.int
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Programme Coordinator: Alexandra Bonnie

Research coordinator: Estela Aragon

Authors: Mónica Barrantes and Mayling Aguilar

Contributors: Fundación Propaz, Alexandra Bonnie, Heydi González, Michela Macchiavello, Fabio Jiménez, Fabián Solano, Rosilyne Borland and Ana Catalina Picado.

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FOREWORD

In Central America and Mexico, migration flows have historically been driven by various factors, among which the search for better job opportunities predominates. Intraregional migration tends to be mainly composed of people working in economic activities with a high level of informality, such as agriculture, domestic work and tourism, in which there are few guarantees for the protection of their rights and where many actors are involved.

In this context, the rights of migrant workers must be protected at all stages of the labour migration cycle. When migrant workers are abused and exploited at the initial recruitment stage of the cycle, the risk increases throughout the subsequent stages.

The International Organization for Migration (IOM), through its ethical recruitment programme, IRIS,¹ works to promote respect for the rights of migrant workers, improve transparency and accountability in recruitment practices, and strengthen public policies, regulations, and mechanisms related to the recruitment of migrants. IRIS aligns with the commitments set out by the States in the *Sustainable Development Goals* (SDGs) (Targets 8.5, 8.7, 8.8. and 10.7), and the *Global Compact for Safe, Orderly and Regular Migration* to facilitate fair and ethical recruitment under conditions that ensure decent work (Objective 6).

Despite these commitments and the significant efforts made in the region, in Central America and Mexico, the majority of recruitment practices occur informally, making it difficult to collect and systematize data and information on the recruitment dynamics in migrant populations.

This report contributes to identifying and analyzing recruitment practices in Belize, Guatemala and Mexico of migrant workers from northern Central America (El Salvador, Guatemala and Honduras) and their adherence to international standards.

It includes a characterization of recruitment practices and the regulatory framework as well as a description of the profile of migrant workers in agriculture, domestic work, and tourism. It also proposes a list of good practices and courses of action for the actors involved to enhance the benefits of labour migration in the region through ethical recruitment.

It is hoped that this report will be of use to decision-makers in Central America and Mexico, both in governments and in the private sector; by providing evidence to develop policies and actions aimed at improving the conditions under which recruitment takes place in the region and safeguarding decent work through the protection of migrant workers.



Michelle Klein Solomon
IOM Regional Director for Central America, North America and the Caribbean

¹ International Recruitment Integrity System. For more information on IRIS: www.iris.iom.int/what-iris

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EXECUTIVE SUMMARY

Migration in Central America and Mexico has historically been driven by various factors, including economic push and pull factors. Migrant workers frequently find work in economic activities such as agriculture, domestic work and tourism. In Mexico, Guatemala and Belize, agriculture is one of the economic activities that most contributes to the Gross Domestic Product (GDP); this is also the case for tourism. There is a lack of information on the number of persons working in domestic work due to this type of work usually being carried out informally. However, estimates in Mexico indicate that it represents at least 22.8 per cent of the GDP (Government of Mexico, 2020a). Migrant workers are significantly involved in these three economic activities.

Although intraregional labour migration contributes positively to the economies of countries of origin and destination, processes involving the recruitment of migrants are still characterized by challenges and constraints. A significant challenge for Central American countries and Mexico is the limited control mechanisms that exist over recruitment practices, especially regarding informal recruitment. This increases the risk of exploitation and forced labour of migrants, among other risks.

In this context, the International Organization for Migration (IOM), through the support provided by the United States of America Department of State Bureau of Population, Refugees and Migration for the Western Hemisphere Programme (WHP), has developed this research to identify and analyse the recruitment practices of migrant workers from El Salvador, Honduras and Guatemala who migrate to Belize, Guatemala and Mexico to work in agriculture, domestic work and tourism. Under Objective 6 of the *Global Compact for Safe, Orderly and Regular Migration*, signatory States are committed to facilitating fair and ethical recruitment under conditions that ensure decent work. As part of IOM's assistance to governments in the region, this study aims to provide practical advice and information on the recruitment of migrant workers as well as identifying good practices, opportunities for improvement and the contributions that spaces such as the International Recruitment Integrity System (IRIS) multi-sectoral initiative can make on this issue.

Chapter 1 reviews international standards and norms aimed at achieving ethical recruitment. This concept envisions a commitment to eliminate unscrupulous practices in the recruitment process while seeking to maximize the benefits of labour migration for all actors involved in this process. In addition, it also presents an overview of the specific provisions for regulating the recruitment of immigrant and emigrant workers.

In cases where regulations govern the operation of private employment agencies (Honduras and Mexico), a brief analysis of the elements they incorporate and the challenges these regulations face in guaranteeing respect for the labour rights of migrant workers and the due diligence and application of norms is provided. In addition, reference is made to informal recruitment practices and the risks and implications that must be assumed by the actors involved in labour migration, primarily migrant workers.

Later, Chapter 2 identifies the migration profiles of intra-regional migrants working in agriculture, domestic work and tourism in Belize, Guatemala and Mexico, and the recruitment practices used to recruit migrants to work in these three economic activities. This chapter provides elements to compare how migrant workers are recruited both in the country of origin and in the country of destination, according to the stages of recruitment (dissemination, selection of candidates, transport to the country of destination and job placement). In addition, sections oriented towards the analysis of the implications of the COVID-19 pandemic on recruitment were included and lists of good practices were identified for each economic activity.

In Chapter 3, the risks associated with the recruitment process are analysed, emphasizing on populations in vulnerable situations, such as women and migrant children. In addition, this section analyses the instruments used in the recruitment practices of the countries covered by the study.

Finally, this report offers a series of recommendations for improving the conditions, institutions and practices surrounding the recruitment of migrant workers in Central America and Mexico. The findings of this report shed light on the picture of recruitment trends in the region; however, these data are not statistically representative, and the sampling is non-probabilistic.

MAIN FINDINGS OF THE STUDY

- Recruitment practices of migrant workers in the three economic activities studied are not regulated by a national regulatory framework that supports ethical recruitment; thus, most of these practices are carried out informally.
- At the international level, there is a wide range of conventions, international frameworks and standards that seek to lay the foundations for the regulation of recruitment. Despite this, most of these regulations have not been approved by the countries involved in the study (Belize, El Salvador, Guatemala, Honduras and Mexico). For example, Belize, El Salvador, Honduras, Guatemala and Mexico have not ratified *Private Employment Agencies Convention* (No. 181).
- Recruitment agencies in the region are primarily engaged in recruiting and placing migrant workers in the United States of America and Canada.
- In the case of people from El Salvador, Guatemala and Honduras recruited to work in agriculture, the profile is primarily male, with an average age between 20 and 30 years old. Before their trip, most were unemployed.

- In turn, the predominant profile in domestic work is women between the ages of 20 and 35, with a complete primary education. Unemployment as a precondition for domestic workers was higher than in agriculture.
- On the other hand, tourism activities seem to require a profile of migrant workers with higher academic preparation (most completed high school) and younger than in the other economic activities analysed (the age for tourism workers ranged from 20 to 29). In this case, the participation of men (54%) and women (46%) was more balanced.
- In agriculture, recruitment practices are predominantly carried out in the country of origin, while in domestic work and tourism, most migrant workers were recruited while already in the country of destination.
- The primary source of information about job vacancies is through family, friends, and sometimes social media on the internet.
- Among the main risks associated with informal recruitment practices, the study identified recruitment-related charges and the absence of contracts or documents that allow migrant workers to demand a guarantee of their labour rights.
- Migrant workers recruited to work in these three economic activities sometimes use migration management tools such as the Border Worker Visitor Card (TVTF, as per its Spanish acronym), the CA-4 and the Regional Visitor Card (TVR, as per its Spanish acronym). However, some of these permits were not created to facilitate intraregional labour migration.
- Implementing ethical recruitment principles in the region can benefit migrant workers, the recruitment industry, governments in both countries of destination and origin, and the private sector through decent work opportunities and global value chains free from labour exploitation and unscrupulous practices.

INTRODUCTION

Around the world, migrant workers account for 4.9 per cent of all working people and have a higher participation rate than non-migrant workers. In Latin America and the Caribbean, there were an estimated 5.9 million migrant workers in 2019, with a labour force participation rate in destination countries of 63.6 per cent compared with 64 per cent for non-migrants (ILO, 2021a).

In the Central America and Mexico region, most migrants move for work purposes, although various factors drive migration. In the last decade, Mexico has evolved from being primarily a country of origin for migrants, to a transit and destination country for migrant workers from Central America. The south of Mexico receives workers from Belize, El Salvador, Guatemala, and Honduras who migrate intending to work in the agricultural sector, domestic work, and tourism.

Similarly, Belize, traditionally a country of origin of migrant workers, has come to position itself as a receiving country for labour from El Salvador, Guatemala, and Honduras, showing a marked tendency towards the agricultural sectors. While still an important country of origin, Guatemala has seen an increase in the reception of migrant workers, mainly from El Salvador and Honduras, who work in agriculture and tourism.

As documented in various IOM reports,² this research confirmed that, despite the existence in the region of various mechanisms that facilitate labour migration, these have little impact on the prevention or reduction of irregular migration flows (IOM, 2021a), increasing the likelihood of migrants being introduced into labour markets through informal recruitment practices and increasing their vulnerability.

In this context, through its Western Hemisphere Program, the International Organization for Migration (IOM) conducted this study to identify and analyse recruitment practices and regulations in Belize, Guatemala and Mexico for migrant workers from El Salvador, Guatemala and Honduras.

The analysis of migrant recruitment practices in the countries of the region contributes to the commitments made by States in the 2030 Agenda to promote decent work, address the feminization of migration and improve the governance of labour migration (Targets 8.5, 8.7, 8.8 and 10.7). It also provides insight into the risks migrants are exposed to when recruited through informal means (Targets 5.2 and 16.2). Identifying recruitment practices makes it possible to examine the remaining challenges in facilitating fair and ethical recruitment and thus to safeguard the conditions for decent work (Objective 6 of the *Global Compact for Safe, Orderly and Regular Migration*).

² For more information, see: *Labour Migration Mechanisms in Mesoamerica*. International Organization for Migration (IOM), San José. (In Spanish)

First, this study provides a regional overview of national and international regulations on the recruitment of migrants. Chapter 2 explains the relationship between agriculture, domestic work and tourism and intraregional migration flows, the profile of migrant workers, recruitment practices in each of these economic activities and the impact of the COVID-19 pandemic on these practices. Chapter 3 examines the risk factors associated with recruitment processes with a particular emphasis on populations in vulnerable situations. Finally, a list of recommendations is offered along with concrete actions to promote the protection of migrant workers in the recruitment process and facilitate migration management between countries of origin and destination.

METHODOLOGY

METHODOLOGICAL PROCESS

This study was conducted to identify and analyze the recruitment processes of migrants in agriculture, domestic work and tourism in Belize, El Salvador, Guatemala, Honduras and Mexico and their adherence to international standards for the protection of migrant workers. A methodological process consisting of five phases during February and July 2021 (see Figure 1) was proposed for this purpose.

Figure 1. Methodological process of the study



Source: Prepared by the authors.

SECONDARY DATA COLLECTION METHODS

First, the Research Unit of the IOM Western Hemisphere Program conducted an exhaustive review of regulations and documentation from each of the countries analyzed and also of international standards and reports from international organizations, civil society organizations and academia all related to the recruitment practices of migrant workers in Belize, El Salvador, Guatemala, Honduras, and Mexico.

This desk review was important in guiding the development of complementary research instruments, such as interview protocols for key informants and a survey for migrant workers. This review was based on case studies and a comparative method to explain the recruitment practices of migrant workers.

A stakeholder mapping was also carried out at this stage. The objective was to establish a list of key informants to interview from government, the private sector, civil society and academia. This mapping served to identify the primary regional and national actors involved in the recruitment of migrant workers, the consulting of whom was necessary to develop this report.

PRIMARY DATA COLLECTION METHODS

Semi-structured interviews

For this study, 31 remote semi-structured interviews were conducted with actors from the government, the private sector (companies and recruiting agencies), regional institutions or organizations, civil society, academia and United Nations agencies. These interviews collected quantitative information on intraregional migration flows and qualitative information on labour migration in the countries selected for the study, specifically in the selected economic activities.

Surveys

In order to understand the profile and recruitment practices of migrant workers in agriculture, domestic work and tourism, a survey was designed based on the *Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations* of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Global Migration Group, the handbook *The Determinants of Migrant Vulnerability* of the International Organization for Migration (IOM), *The Montreal Recommendations on Recruitment* raised at the IOM-sponsored Global Conference on the Regulation of International Recruitment, the IOM-sponsored *International Recruitment Integrity System (IRIS) Standard and the General Principles and Guidelines for Fair Recruitment* of the International Labour Organization (ILO).

The survey³ was given to 246 migrant workers in countries of destination (Belize, Guatemala and Mexico) between April and June 2021.

³ The information collected through the survey is not statistically representative and the sampling was not probability based. Chapter 2, entitled "Recruitment practices of migrant workers in agriculture, domestic work and tourism" provides a detailed characterization of migrant workers for each economic activity.

Map 1. Communities of migrant workers surveyed on recruitment practices



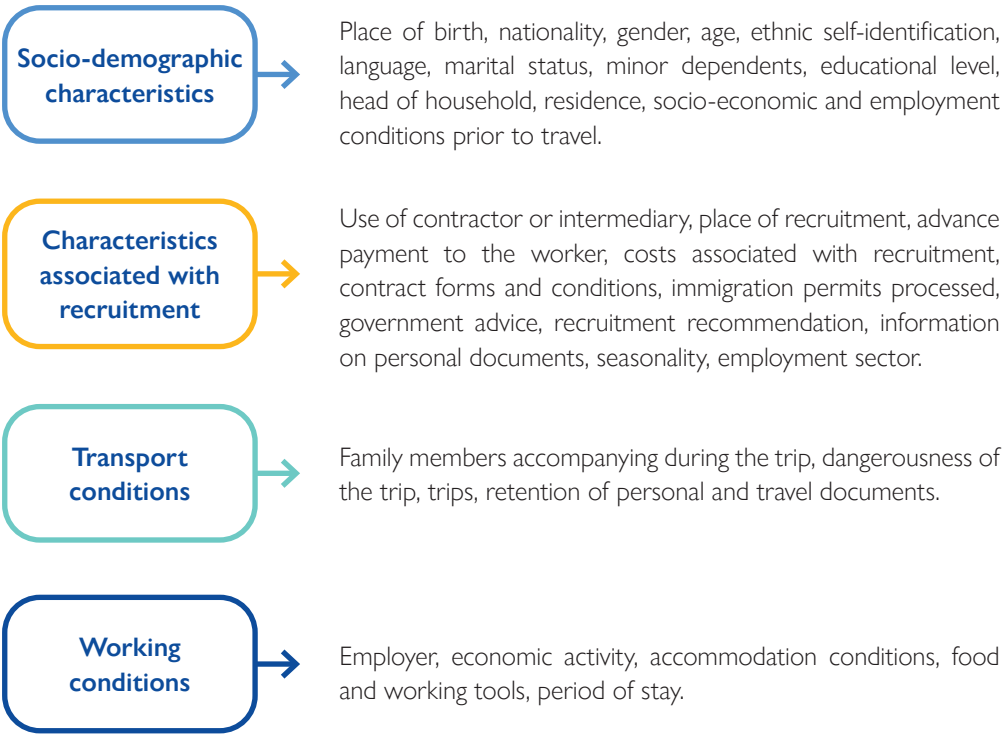
Source: Prepared by authors.

Note: This map is for illustration purposes only. The boundaries and names shown, and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.

Convenience sampling was carried out with the support of civil society organizations and the population surveyed *in situ*. The criteria for selecting the migrant workers to be surveyed were as follows:

- Age: 18 years old or older.
- Economic activity: agriculture, domestic work or tourism.
- Country of origin: El Salvador, Honduras or Guatemala.
- Country of destination: Belize, Guatemala or Mexico.

Figure 2. Parts of the migrant worker survey



Source: Prepared by the authors.

Focus groups

To collect more primary data, the following two focus groups were conducted in Guatemala (in the department of Chiquimula): migrants working in agriculture and migrants working in tourism. The objective was to reconstruct and understand the recruitment process and the lived experiences around it.

Each group had a maximum of five participants from Honduras, El Salvador and Guatemala. A question guide was created, and the information was validated through the problem tree analysis method.

In-depth interviews

Unlike people working in agriculture and tourism, for domestic workers, the focus group was replaced by in-depth interviews. In an effort to protect them, these interviews were conducted in places that were comfortable and trusted by the interviewees. A nine-question instrument was developed that included aspects linked to recruitment practices and the people who managed the recruitment, travel conditions, working conditions and recommendations for improving

recruitment practices. In addition to what was identified in the secondary data matrix, the following guidelines for recruiters on ethical recruitment, decent work and access to resources for migrant domestic workers were considered in developing the interview protocol: *Guidelines for Labour Recruiters on Ethical Recruitment, Decent Work and Access to Remedy for Migrant Domestic Workers*, from the IOM, and the *Principles and Guidelines, supported by practical guidance, on the human rights protection of migrants in vulnerable situations* from the United Nations Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Global Migration Group.

ANALYSIS OF DATA

From the surveys, the IOM research team created a socio-demographic profile of the migrant workers, which included gender, nationality, age and education level. In addition, the research team used a series of pre-established categories to analyse the information obtained from the interviews and surveys:

- Drivers
- Job vacancy information mechanism
- Recruitment-related costs
- Characteristics of the contract
- Migratory procedures carried out
- Risks associated with recruitment practices

VALIDATION OF RESULTS

Three validation processes were carried out:

- Validation of the focus groups: this process was carried out using the problem tree method, which made it possible to identify the primary experiences and needs of migrants in the recruitment phase.
- Validation of the interviews: the interview notes and videos were shared with the interviewees to verify that the information collected was correct.
- Validation of the final report: the study was validated through reviews by regional specialists and IOM country offices.

LIMITATIONS

Within the framework of this study, the IOM research team encountered several constraints. The following challenges must be considered in the findings and recommendations of this document.

- Data collection was carried out in the context of the COVID-19 pandemic. Primary data collection instruments were adapted to online versions taking into account biosecurity measures recommended by governments. Border closures and the return of many migrants to their countries of origin made it challenging to contact migrant workers, transport the surveying team to the field and create a focus group of migrants working in domestic work.

- The survey sample is not representative; therefore, the results cannot be generalized to the entire migrant worker population. Nevertheless, they provide a detailed understanding of how migrant recruitment processes work in northern Central America, Mexico, and Belize.
- IOM sought the participation of all sectors involved in the recruitment process of migrant workers; however, the participation of the private sector was limited despite the constant efforts of the research team to reach out to them and gain their perspective.
- A limited existence of up-to-date secondary source documentation on the number of migrants working in domestic work and tourism was identified in all the countries of study (Belize, El Salvador, Honduras, Guatemala, and Mexico). Similarly, there is limited information on how migrants are hired in these economic activities since many are recruited informally. Regarding agriculture, information was found on the recruitment of migrant workers migrating to the United States of America and Canada, but not at the intraregional level. For this reason, this report is based on the most recent data available for each of the economic activities.

CHAPTER 1. RECRUITMENT PRACTICES IN CENTRAL AMERICA AND MEXICO



This chapter provides an overview of labour migration in Central America and Mexico, its link to recruitment practices of migrant workers in the region, as well as international definitions and standards related to these processes. However, even if it includes a regional contextualization, both this study and this chapter focus particularly on Belize, Guatemala, El Salvador, Honduras and Mexico.

INTRAREGIONAL LABOUR MIGRATION AND RECRUITMENT

In Central America and Mexico, extraregional and intraregional migration mainly respond to people's desire to seek better job opportunities (IOM, 2018a). In this sense, extraregional emigration continues to be the predominant trend, with the United States of America maintaining its place as the leading destination for migrant workers from these countries (IOM, 2020a). Some of the most important pull factors include the concentration of large diasporas, access to comparatively better wages and higher levels of security (Torre, 2020).

These emigration dynamics, however, have undergone significant changes in the last decade. Recent changes in migration policies in the United States of America and improvements in the economic situation and labour markets of some countries in Central America and Mexico have increased intraregional labour migration (Navarrete and Stein, 2018, p. 98). An example of this is Mexico, which has been increasingly characterized as a country of origin and transit and as a destination for people from Central America, especially those from Guatemala (IOM and ILO, 2019a, p. 10). The border between Chiapas (Mexico) and Tecún Umán (Guatemala) is today one of the main migration corridors in Central America and Mexico, due to a growing flow of temporary agricultural and domestic workers (IOM, ILO and COLEF, 2020).

According to Mexico's Southern Border Migration Survey (Emif Sur), in 2019, 296,000 crossings of Guatemalan migrants from Mexico were recorded, 12.5 per cent more than in 2018 (Government of Mexico, 2019a). Of these crossings, 37 per cent were made using the Border Worker Visitor Card (TVTF, per its Spanish acronym)⁴ (COLEF, 2020). The Migration Policy, Registration and Identity of Persons Unit (UPMRI as per its Spanish acronym) recorded that in 2019 a total of 10,018 TVTFs were issued (Government of Mexico, 2020b, p. 119) a figure that by 2020 decreased to 3,683 (Government of Mexico, 2020b, p. 115) possibly due to the pandemic caused by COVID-19.

Another important intraregional flow is that of Guatemalans, Hondurans and Salvadorans who move to Belize for work. In 2019, 9,968 persons from Guatemala were recorded as participating in Belize's labour force, which increased to 10,424 by 2020. In the case of persons from Honduras, by 2019 an estimated 5,134 persons were participating in Belize's labour force and by 2020 this figure rose to 6,041 (SIB, 2020).

⁴ The Border Worker Visitor Card is a permit granted by the Mexican National Immigration Institute to Guatemalan or Belizean nationals to work in the Mexican states of Chiapas, Campeche, Tabasco and Quintana Roo.

Intraregional labour migration is characterized by the fact that most migrant workers come from border areas or areas close to borders, such as San Marcos and Huehuetenango with Chiapas, where an important factor is the existence of offices where TVTFs can be processed (IOM, ILO, Government of Mexico and COLEF, 2020). On the other hand, in countries of origin such as El Salvador and Honduras, most migrant workers who move to Guatemala, Mexico and Belize come from communities near the border with Guatemala or Belize (IOM, 2020a).

It should be noted that the figures in this document are official data provided by government institutions in the countries analysed. However, the measurement of migration flows is a challenge in the region that influences the generation of accurate data on the number of people moving for labour purposes and their impact on national labour markets. The main challenges identified by the IOM in this area are financial sustainability, human resource allocation, coordination between institutions generating labour market information and the lack of knowledge-sharing mechanisms (IOM, 2020b).

Map 2. Intraregional migration flows for labour purposes



Source: Prepared by the authors.

Note: This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.

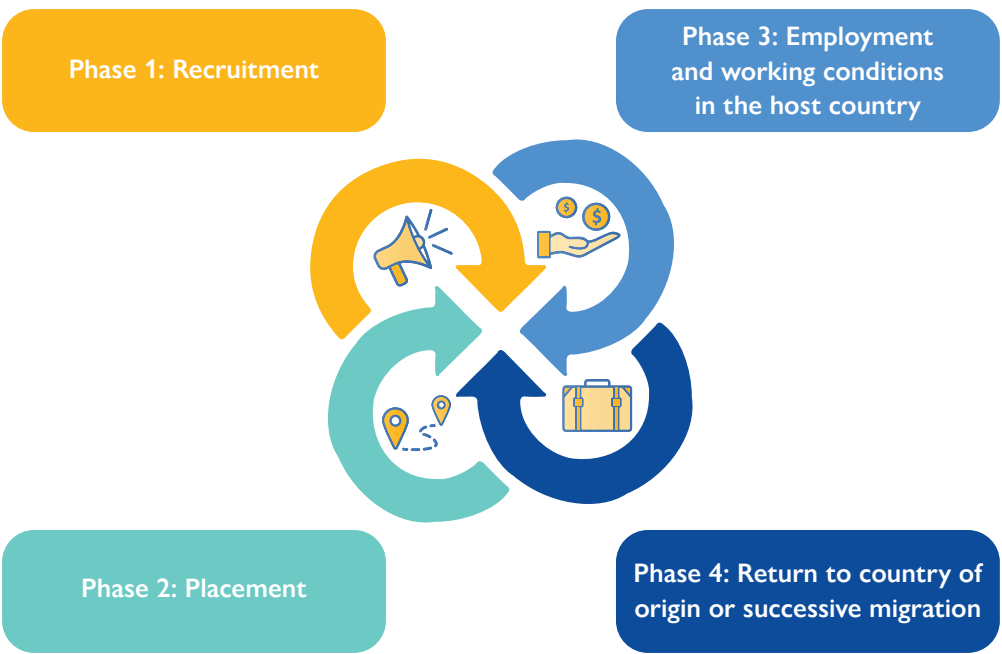
Intraregional labour migration is concentrated in certain specific productive sectors, particularly in labour activities such as agriculture, commerce, services, maquila or garment manufacturing (IOM, 2019a). For example, most migrant workers who move to Belize work in banana, cocoa and citrus cultivation (CCT, n.d.). Most migrants from Guatemala work in Mexico's agricultural sector, followed by construction, commerce, and domestic services (IOM, ILO, Government of Mexico and COLEF, 2020). Similarly, in the case of Guatemala, data from the *National Employment and Income Survey* (ENEI, as per its Spanish acronym), showed that in 2018, 47 per cent of migrants worked in agriculture, livestock, forestry and fishing activities (INE, 2018).

In turn, most of these economic activities have a defined temporary nature. Although on many occasions migrants are inserted into the informal labour market, most of the formal mechanisms that facilitate this migration are oriented towards temporary work schemes (IOM, 2021a).

RECRUITMENT AS A KEY PHASE IN THE LABOUR MIGRATION CYCLE

As part of the labour migration process, migrant workers are often recruited, placed, employed and at a later stage may return⁵ or undertake a successive migration process. One of the main challenges for the States of the region is to ensure adequate governance of labour migration at all stages of the migration cycle, from ensuring a comprehensive perspective that considers provisions for managing orderly recruitment processes to prioritizing the dignity and well-being of migrants.

Figure 3. Phases of the labour migration cycle



Source: Prepared by the authors.

Recruitment refers to “(i) the engagement of a person in one territory on behalf of an employer in another territory, or (ii) the giving of an undertaking to a person in one territory to provide him with employment in another territory.” This concept is broad and covers direct recruitment by an employer or their representative and operations carried out by an intermediary, including public and private employment agencies (ILO, 1999).

⁵ According to the IOM Glossary, return is defined as “the act or process by which a person returns or is taken back to his or her point of departure.” (IOM, 2019b, p. 206). Return can be understood in some subcategories as voluntary return, forced return, assisted return and spontaneous return.

According to the *Plantations Convention* (No. 110) of the International Labour Organization (ILO), the term recruiting refers to “all operations undertaken with the object of obtaining or supplying the labour of persons who do not spontaneously offer their services at the place of employment or a public emigration or employment office or an office conducted by an employers’ organization and supervised by the competent authority.” This convention establishes as central actors in the recruitment process the recruited workers, the employer, the person who acts as the recruiting entity (who may or may not be part of the same employing organization) and the governmental authorities that grant the permits for the recruitment process to be carried out in accordance with the regulations (ILO, 1958).

IOM understands recruitment as the first phase in the labour migration process and refers to a broad term that includes advertising, information dissemination, selection, transportation and job placement (IRIS, 2019, p. 12).

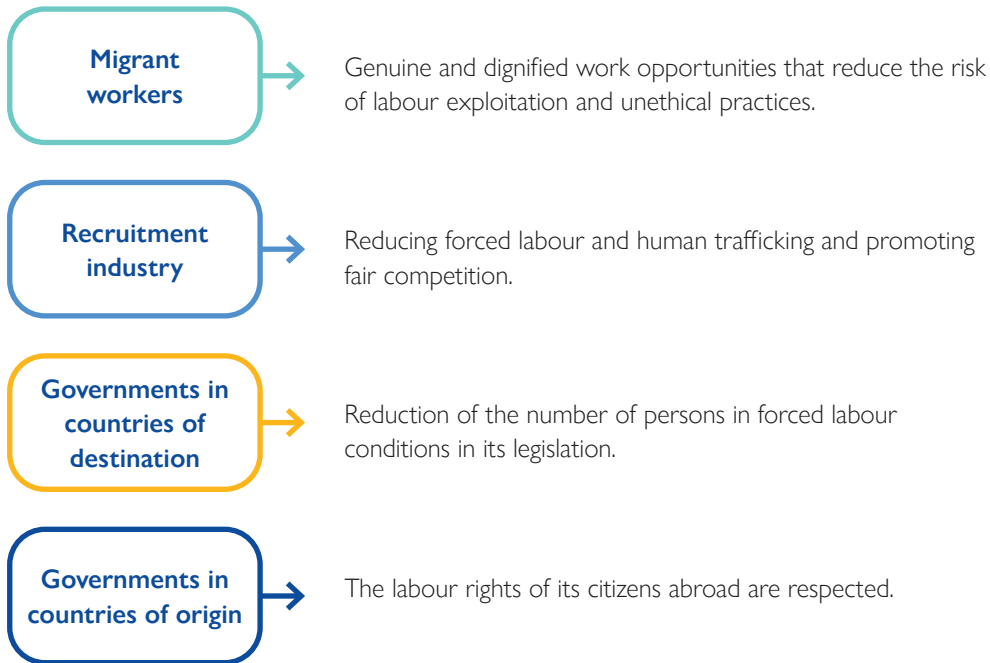
Ethical recruitment is a concept based on international standards, especially on ILO’s *Private Employment Agencies Convention* (No. 181) and refers to the protection of jobseekers based on respect for labour rights and the principle that no recruitment-related costs should be charged. In this regard, the *General Principles and Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs* contributes by clarifying that the employer should bear recruitment-related costs.

The principles of ethical recruitment according to the IOM are:⁶

- Every worker must enjoy their freedom of movement.
- No worker should have to pay for their work.
- No worker should be forced to work.

⁶ For more information on the elements that make up ethical recruitment see www.iris.iom.int.

Figure 4. Benefits of ethical recruitment



Source: IRIS, n.d.a.

The elements that make up the concept of ethical recruitment are respect for the law, workers' human rights, and the promotion of transparent labour intermediation processes. The implementation of ethical recruitment also aims to attract potentially qualified candidates for jobs (IOM, 2021b). Therefore, it constitutes an opportunity, not only to minimize the vulnerabilities to which migrant workers may be exposed, but also to manage the procedures for human mobility, creating benefits for countries of origin and destination, and increasing the productivity of the private sector (IOM, n.d.a.).

The objective of ethical recruitment and its promotion is to ensure that all actors involved in the recruitment process of migrant workers follow the same guidelines and principles so that governments, employers, recruiters and workers are aware of the rights and duties they assume for the recruitment process. This involves the protection of migrant workers through regulation, elimination of recruitment costs and fees, registration and licensing of recruiters, inspections to ensure compliance, access to complaints to resolve disputes, and establishing international agreements (IOM, 2020c).

Figure 5. Benefits of ethical recruitment in the private sector



Source: Prepared by the authors based on IOM, 2021b.

Despite the multiple benefits, it is important to consider that establishing ethical recruitment processes is a complex challenge, as this phase of labour migration involves multiple actors who may operate formally or informally and across national or international borders. They include, among others, private intermediary companies located in the countries of origin and destination, individual contractors - also referred to as intermediaries - who recruit locally (IOM, 2017, p. 5) and even government agents and institutions which function as a platform to find work for their nationals in international labour markets.

INTERNATIONAL FRAMEWORKS AND STANDARDS ON RECRUITMENT

International frameworks

The growing importance and complexity of the recruitment processes of migrant workers requires the establishment and implementation of international guidelines to ensure the protection of workers and minimize the risks of fraud, exploitation and, in the worst cases, forced labour conditions (IOM, n.d.a.).

The following are the main international standards related to the recruitment of migrant workers.

Table 1. International conventions and frameworks related to ethical recruitment

Regulation	Date	Related authority
Employment Service Convention (No. 88)	1948	International Labour Organization
Employment Service Recommendation (No. 83)	1948	International Labour Organization
Migration for Employment Convention (Revised) (No. 97)	1952	International Labour Organization
Plantations Convention (No. 110) Particularly Part II of the Convention entitled “Engagement and Recruitment of Migrant Workers.”	1958	International Labour Organization
Migration for Employment Convention (supplementary provisions) (No. 143)	1975	International Labour Organization
Migrant Workers Recommendation (No. 151)	1975	International Labour Organization
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	1990	United Nations General Assembly
Private Employment Agencies Recommendation (No. 188)	1997	International Labour Organization
Private Employment Agencies Convention (No. 181)	2000	International Labour Organization
General recommendation No. 26 on women migrant workers (CEDAW)	2008	Committee on the Elimination of Discrimination Against Women
Domestic Workers Convention (No. 189)	2011	International Labour Organization
Domestic Workers Recommendation (No. 201)	2011	International Labour Organization
Dhaka Principles	2012	Institute for Human Rights and Business

<p>Sustainable Development Goals</p> <p>Especially Goal 8 on decent work and economic growth, and the following targets:</p> <ul style="list-style-type: none"> • 8.5. Full employment. • 8.7. Eradicate forced labour, end modern slavery and human trafficking • 8.8. Protect labour rights and promote safe and secure working environments 	2015	United Nations
Migration Governance Framework (MiGoF)	2015	International Organization for Migration
Global Compact for Safe, Orderly and Regular Migration	2018	International Organization for Migration
General Principles and Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs	2019	International Labour Organization
Comprehensive Development Plan for northern Central America and Mexico	2019	Economic Commission for Latin America and the Caribbean
Plan of Action for the Comprehensive Attention to Migration in Central America	2019	Central American Integration System and International Organization for Migration
Montreal Recommendations on Recruitment: A Roadmap towards Better Regulation	2020	International Organization for Migration
COVID-19: Guidance for labour recruiters to enhance migrant worker protection during the current health crisis	2020	International Organization for Migration
COVID-19: Guidance for employers and business to enhance migrant worker protection during the current health crisis	2020	International Organization for Migration

Source: Prepared by the authors.

The instruments listed above establish the obligation of States to regulate employment and ensure that recruitment is carried out clearly and transparently. In the process, migrant workers are particularly vulnerable to exploitation, trafficking and forced labour, and discriminatory treatment, low wages and restrictions on the full enjoyment of their fundamental rights (IRIS, 2020d, p. 1).

The *Montreal Recommendations on Recruitment* are the most recent document identified on ethical recruitment, and it aims to provide a roadmap for ethical recruitment. These recommendations emerged from IOM’s Global Conference on the Regulation of International Recruitment and Protection of Migrant Workers held in Montreal, Canada, in June 2019. A total of 55 recommendations were drafted, which consider the standards previously raised, such as the *General principles and operational guidelines for fair recruitment* of the International Labour Organization (ILO).

Figure 6. Sections of the Montreal Recommendations

Montreal Recommendations	Protecting migrant workers through recruitment regulation
	Recruitment fees
	Registration and licensing
	Administration, inspections and enforcement
	Ratings, rewards and rankings: Incentivizing legal compliance
	Access to grievance mechanisms and dispute resolution
	Bilateral, regional and multilateral mechanisms
	Migrant welfare and assistance
	Maintaining the momentum on regulation

Source: Prepared by the authors based on IOM, 2020c.

The objective of these guidelines is to direct and guide the efforts of actors involved in global value chains to reduce the vulnerabilities faced by migrant workers in recruitment processes and is based on strengthening the capacities of governments, the rights of migrants, and the participation of the private sector (IOM, 2020c).

This roadmap has made it possible to promote and manage initiatives such as the *Global Forum for Responsible Recruitment*. This platform took as a basis the first principle of Dhaka⁷ and has met annually since 2017 to review the matter, nurture ideas, and foster engagement and inspire action in favor of ethical recruitment and the elimination of recruitment fees for migrant workers (IHRB, n.d.a.).

Following the Global Conference on the Regulation of International Recruitment in 2019, in December 2020, IOM launched the Global Policy Network on Ethical Recruitment which addresses regulatory and enforcement failures that can exacerbate vulnerabilities and create gaps in the protection of migrant workers. The Network brings together policymakers, regulators, and practitioners worldwide to collectively identify solutions, showcase promising practices, and address complex challenges. Network membership enables States to implement their commitment to safe migration and strengthen their migration governance by facilitating dialogue, knowledge transfer, and good practices. The Network presents members with innovative, cutting-edge solutions to the most common challenges that policymakers and regulators routinely face. The main objectives of the Network are:

- Provide clear and practical guidance to promote policy coherence and good practices.
- Encourage operational and regulatory cooperation among participating jurisdictions.
- Establish a mechanism through which guidance and strategies can be tested and scaled up, and action can be taken (IOM, 2020d).

In addition to these instruments and initiatives, other international initiatives on migration link the recruitment of migrant workers and the principles of ethical recruitment. The most important is the *Global Compact for Safe, Orderly and Regular Migration*, which encourages taking into account the International Recruitment Integrity System (IRIS) to facilitate fair and ethical recruitment and safeguard conditions that ensure decent work (Objective 6).

⁷ This principle states that “no fees shall be charged to migrant workers. The employer must bear the full costs of recruitment and placement. Migrant workers should not have to pay any recruitment or placement fees.”

Box 1. International Recruitment Integrity System (IRIS) Standard and Principles

The [International Recruitment Integrity System \(IRIS\)](#)⁸ is a voluntary certification system for international recruiters based on international human rights instruments, ILO conventions and guidelines, and recruitment industry best practices (IOM, 2019a). It is divided into two general principles and five specific ones:

- General Principle A: Respect for fundamental principles and rights at work
- General Principle B: Respect for ethical and professional conduct
- Principle 1: Prohibition of recruitment fees and related costs to migrant workers
- Principle 2: Respect for freedom of movement
- Principle 3: Respect for transparency of terms and conditions of employment
- Principle 4: Respect for confidentiality and data protection
- Principle 5: Respect for access to remedy

Source: IRIS, 2019, p. 2.

The implementation of IRIS and its principles protect and empower migrant workers, as it focuses on reducing exploitation in the recruitment process and making it easier for recruitment agencies to gain competitive advantages in the marketplace (IOM, 2019c).

Another effort at the international level to promote recruitment in line with international standards is the Global Action to Improve the Recruitment Framework of Labour Migration (REFRAME), developed by the ILO. This global project responds to ILO's *Fair Recruitment Initiative* and the *General Principles and Guidelines for Fair Recruitment*.

The international standards and initiatives mentioned in this section are instruments aimed at ensuring respect for the integrity and human rights of migrant workers. Their approval and compliance with them are a step towards due diligence⁹ and the elimination of unscrupulous practices in supply chains (IRIS, n.d.b.).

⁸ The International Organization for Migration (IOM) e-campus offers an Introduction to the International Recruitment Integrity System (IRIS) course which also provides information on how to apply ethical recruitment in practice. The course lasts approximately one hour, is self-study oriented and is free of charge. For more information, visit: www.ecampus.iom.int/enrol/index.php?id=71.

⁹ Due diligence refers to an "ongoing process that an enterprise follows that aims to identify, prevent and mitigate the human rights-related risks of their activities or directly related to its operations, products and services through its business relationships" (ILO, 2019, p. 12).

However, Central American countries and Mexico still need to make many more efforts in ethical recruitment, including ratifying the *Private Employment Agencies Convention* (No. 181) of the ILO. The lack of a comprehensive implementation of these standards can result in labour recruiters taking advantage of asymmetrical information flows and power relations to engage in unethical practices and cause significant economic and social harm to migrants (IOM, 2016).

National regulations

At the national level, Belize, El Salvador, Guatemala, Honduras and Mexico have regulations governing persons migrating for labour purposes through labour codes and migration laws.

Table 2. Domestic legislation on recruitment in Belize, El Salvador, Guatemala, Honduras and Mexico

Country	Type of document	Date	Regulation
Belize	Law	2000	Labour Act. Part VIII: Recruiting.
	Law	2000	Immigration Act
El Salvador	Law	2010	Labour Code. Articles 4, 5, 9, 10 and 11. Chapter II deals specifically with domestic service work.
	Special Agreement	2011	Temporary labour Migration Management Model in El Salvador.
	Law	2019	Special Law on Migration and Aliens. Article 107.
Guatemala	Law	1995	Labour Code. Title Two: Employment Contracts and Agreements. Articles 9, 34 and 141.
	Law	2016	Migration Code. Articles 8, 21, 28, 34, 58, 218 and 219.
Honduras	Law	1959	Labour Code. Articles 7 and 43, 44 and 45.
	Regulations	1979	Regulations to the Law of Representatives, distributors and agents of national and foreign companies.
	Regulations	2008	Regulations for the recruitment and hiring of Honduran workers abroad Agreement No. STSS-252-08.
	Regulations	2015 and 2017	Regulations for the operation of private employment agencies, related services and amendments thereto. Agreement No. STSS-141-2015 and agreement No. STSS-155-2017.
	Law	2019	Special Law for the Recruitment, Placement and Hiring of Honduran Seafarers in the Cruise Industry

Mexico	Law	1970	Federal Labour Law. Title Two: Individual Employment Relationships Chapter I. Articles 28, 28A and 28B.
	Regulations	2006	Regulation of Worker Placement Agencies (RACT)

Source: Prepared by the authors.

Most of the available regulations are based on labour codes which do not detail or establish specific and comprehensive provisions for the recruitment of migrant workers at the intraregional level. In addition, most of the documents listed in Table 2 have not been updated or revised considering the new standards on ethical recruitment and recruitment of migrant workers mentioned above.

Belize

Section VIII of the *Labour Act* deals with the regulation of the recruitment of workers. It explains the permissions that a person or entity must have to act as an intermediary or recruiting agency. It is clarified that these regulations “shall not apply to the recruiting of workers within ten miles of the place of employment” (Government of Belize, 2000). On the other hand, the *Immigration Act* establishes the modalities and permits for migrant workers to enter the country.

El Salvador

The Labour Code of the Republic of El Salvador establishes specific provisions for the recruitment of migrant workers. Thus, Article 11 states that “foreigners shall enjoy the same freedom to work as Salvadorans, with no limitations other than those established by law. However, to maintain the balance in the mobility of labour in the Central American area, the Executive Branch in the Labour and Social Security and Interior Branches may take the measures it deems appropriate unless on this matter there are agreements or treaties in force with effective observance” (Government of the Republic of El Salvador, 2010).

Articles 7 and 10 of the same document establish the composition of the workforce and details the percentage authorized by the Ministry of Labour (at least 90% of the collaborators must be Salvadorian). In turn, Article 107 of the Special Law on Migration and Aliens sets out the guidelines for understanding the phenomenon of labour migration and defines the permits that foreigners must have to work on Salvadoran territory.

Guatemala

The Labour Code defines an intermediary as “a person who hires in their own name the services of one or more workers to perform some work for the benefit of an employer” (Government of the Republic of Guatemala, 1995, Art. 5). In addition, a distinction is made between an intermediary and the hiring and recruitment process carried out directly by the employer, stating that “a person who performs work as a contractor with their own equipment and capital is not an intermediary, but an employer” (Government of the Republic of Guatemala, 1995, Art. 5).

The Migration Code recognizes the possibility of Guatemalan workers migrating in search of work. Thus, Article 34 provides that “it is prohibited to enter into contracts with Guatemalan workers for the provision of services or execution of works outside the territory of the Republic without prior permission from the Ministry of Labour and Social Security, which must not authorize the recruitment, embarkation or departure of such workers until their requirements have been met.” In addition, Article 218 specifies how such jobs may be taken and the requirements for doing so; furthermore, Article 219 establishes that the Ministry of Labour and Social Security, in coordination with the Ministry of Foreign Affairs, are the institutions responsible for assisting migrants from Guatemala in this process.

The same legislation states in Article 21 that, concerning migrant workers in its territory, “the State of Guatemala guarantees to all migrant workers and their families the rights recognized in the Political Constitution of the Republic, national legislation and international law duly recognized in our country.”

In turn, Governmental Agreement No. 528-2003 gives rise to the establishment of the Regulations on Work Authorization for Foreigners, a document that establishes the requirements, permits and conditions for immigrants to work in Guatemalan territory. Accordingly, those wishing to work in Guatemala must have the approval of the General Directorate of Employment, which is part of the Ministry of Labour and Social Security.

Honduras

In the case of Honduras, the Labour Code recognizes the figure of the intermediary as that “natural or legal person, whether private or public law, who hires on their own the services of one or more workers to perform some work for the benefit of an employer” (Government of the Republic of Honduras, 1959, Art. 7). In addition, this document contains an entire section devoted to the labour migration of Hondurans to other countries (Articles 43, 44 and 45).

This regulation is crucial because the provisions for work abroad, specifically Article 43, discuss elements of the recruitment process, including possible complaints by workers. Furthermore, this Article contemplates in paragraph C the costs associated with recruitment as a responsibility to be assumed by the employer; in this case, it states that these expenses include those of the persons or family members accompanying the worker.

Similarly, in Honduras, there is a Special Law for the Recruitment, Placement, and Hiring of Honduran Seafarers in the Cruise Industry, which aims to regulate recruiting, hiring, and placing of Honduran persons to work on cruise ships. Article 8 of the Law explicitly prohibits “billing recruited persons [in this case seafarers] directly or indirectly, in whole or in part, for fees or other stipends for recruitment, placement and employment.”

Mexico

For Mexican nationals to work in other countries, Article 28 of the Federal Labour Law establishes the working conditions under this migration process. As in the Honduran case, the need to consider repatriation costs in the recruitment process is indicated.

Concerning the possibilities for migrant workers to work in Mexico, under the Migration Law there are the following residency conditions that allow migrant workers to engage in regular paid activities: temporary resident, temporary resident student, visitor with permission to engage in paid activities, humanitarian visitor, border worker visitor and permanent resident.

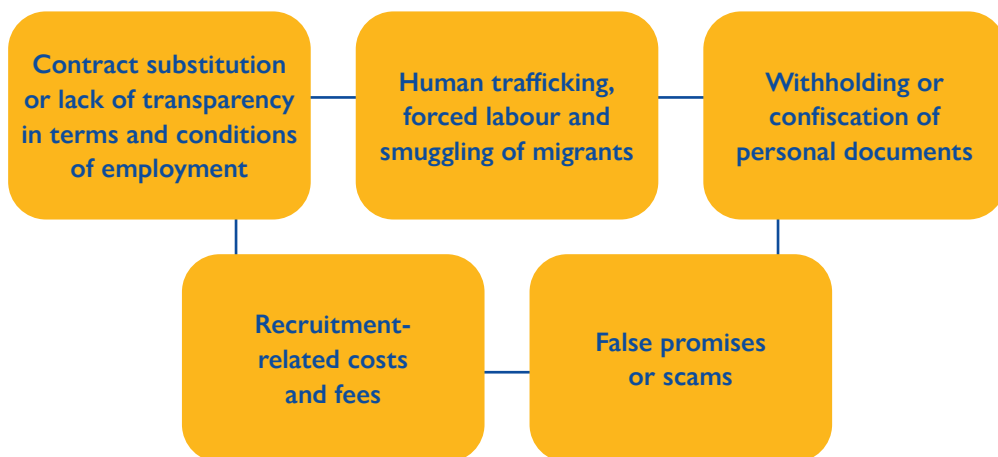
Table 3. Recruitment regulations in the labour codes of Belize, El Salvador, Guatemala, Honduras and Mexico

Country	Regulation	Contains specific provisions on the recruitment of its nationals abroad	Contains specific provisions on the recruitment of immigrants in its territory
Belize	Labour Act	✗	✗
El Salvador	Labour Code	✓	✓
Guatemala	Labour Code	✗	✗
	Migration Code	✓	✗
Honduras	Labour Code	✗	✗
México	Federal Labour Law	✓	✗

Source: Prepared by the authors.

The national regulations mentioned in this section guide the recruitment processes of nationals of Belize, El Salvador, Guatemala, Honduras and Mexico in other countries. However, the lack of specific regulations for the work of intermediaries or private employment agencies means that informal recruitment practices also exist in the region.

Figure 7. Practices associated with informal recruitment



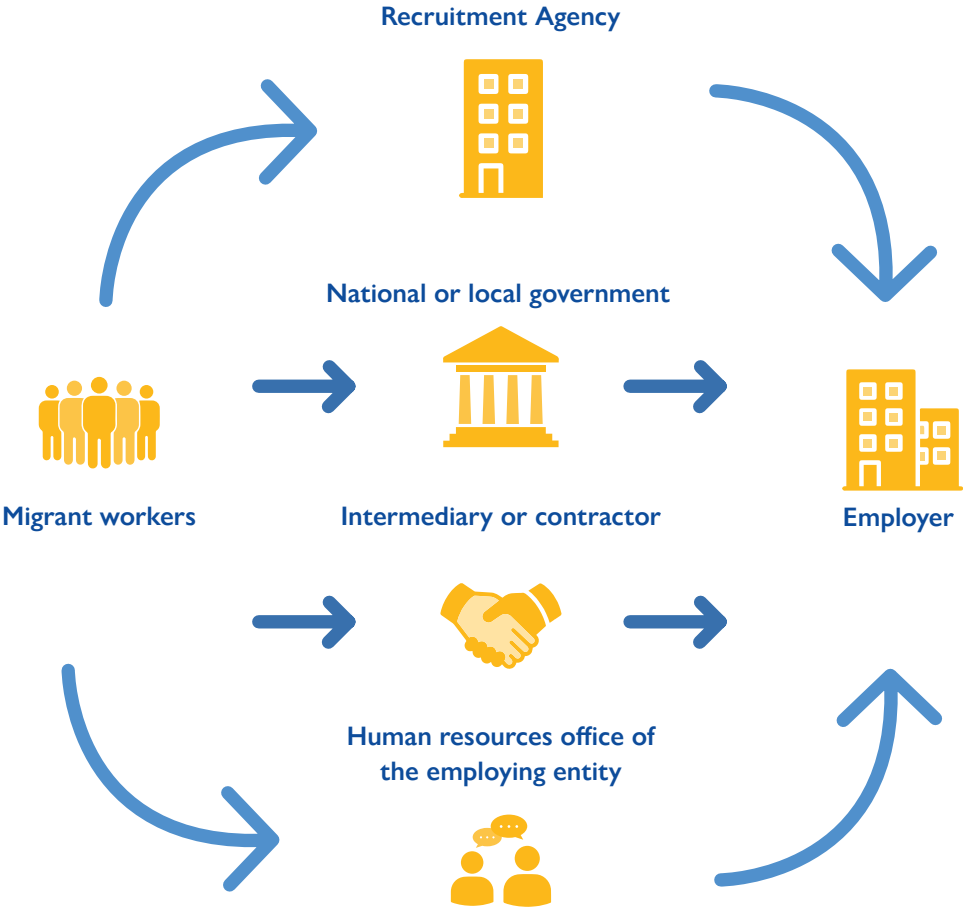
Source: IOM, 2017, p. 6.

The risks associated with unscrupulous and unethical recruitment practices are diverse and affect migrant workers, States and the private sector. These risks are discussed in-depth in Chapter 3 of this study entitled Risk Factors Associated with Recruitment Processes.

RECRUITMENT IN BELIZE, EL SALVADOR, GUATEMALA, HONDURAS AND MEXICO

The recruitment processes identified in the countries covered by the study, according to key informant interviews and secondary data, involve a multiplicity of actors and can be categorized into two types: 1) those that are carried out in a formal manner considering international and national regulations, to enable the transfer processes of migrant workers, and 2) those that are carried out informally and that do not follow the legislation and regulations established for these processes (ILO, 1999).

Figure 8. Recruitment processes of migrant workers

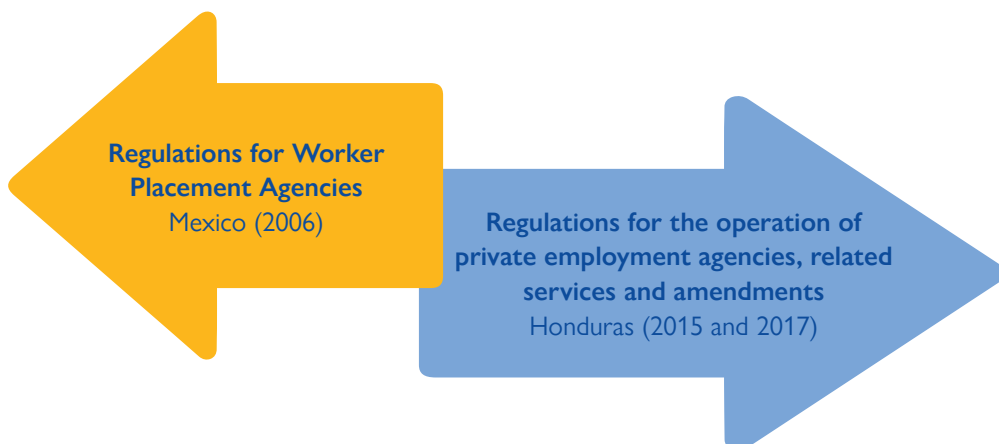


Source: Prepared by the authors with information from diagnostic interviews and IOM, 2017, p. 5.

The countries considered in this study (Belize, El Salvador, Guatemala, Honduras and Mexico) have public employment services that assist employers and workers (nationals and migrants) in a variety of ways. For example, through the publication of job vacancies, labour market information and the implementation of labour market policies, among others (ILO, 2020a). However, these services still face significant challenges, as many disseminate information on job vacancies through media such as social media; they also present the challenge that many of these institutions vary according to political contexts and sometimes have limited guidelines or regulations to regulate their activities (CABEI, WAPES and OECD, 2016).

Of the countries considered in this research, only Honduras and Mexico have specific provisions to regulate the work of intermediary institutions for labour recruitment.

Figure 9. Regulations for private employment agencies in Mexico and Honduras



Source: Prepared by the authors.

In Mexico, activities of employment agencies are regulated by the [Regulations for Worker Placement Agencies](#) which establishes that “collective recruitment agencies for the migration of Mexican workers may only be established in the country with prior authorization from the Ministry of the Interior, in accordance to the provisions of the General Population Law and its Regulations” (Government of Mexico, 2006, Art. 12). The Regulations make a distinction between the offices of the National Employment Service and the Worker Placement Agencies, the latter defined as “any individual or corporation, which provides the service of worker placement and obtains for it an economic retribution” (Government of Mexico, 2006). However, these Regulations do not establish specific provisions for recruiting migrant workers in Mexican territory but instead mentions workers in general terms.

The governmental authorities in charge of ensuring compliance with these Regulations are the Ministry of Labour and Social Security, supported by the National Employment Service and the governments of the Federal Entities. In addition, the Ministry manages a central register of for-profit and non-profit employment agencies,¹⁰ which makes it possible to centralize and update official information on intermediary companies.

Articles 5 and 10 of these Regulations prohibit private employment agencies from charging fees to job seekers. In addition, Article 6 establishes a principle of non-discrimination and Article 9 states that private employment agencies are obliged to be truthful regarding the information on the vacancies they promote (Government of Mexico, 2006).

¹⁰ For more information, see: Ministry of Labour and Social Security. 2021. Central register of for-profit and not-for-profit employment agencies. Available at: www.gob.mx/stps/documentos/registro-central-de-agencias-de-colocacion-de-trabajadores-con-y-sin-fines-de-lucro-con-constancia-de-autorizacion-de-funcionamiento-y-registro-otorgada.

Honduras has two regulations on the recruitment of workers, the [Regulations for the Recruitment and Hiring of Honduran Workers Abroad](#), which aims to establish the basic conditions for the recruitment of Honduran nationals abroad and to regulate, supervise and control individuals or corporations that recruit labour to work outside the national territory (Government of the Republic of Honduras, 2008).

The second regulation is the [Regulations for the Operation of Private Employment Agencies and Related Services and amendments](#), which sets out the obligations of private employment agencies and other entities performing related services. Article 8.10 states that they must “immediately inform the General Directorate of Employment when they become aware of any request for the recruitment or hiring of Honduran workers abroad, as well as foreign workers in Honduras, under the conditions established by law.” In its articles 19, 20, 21 and 22, the regulation also outlines prohibitions and sanctions for private employment agencies (Government of the Republic of Honduras, 2017).

The Ministry of Labour and Social Security, specifically the General Directorate of Employment, is mandated (per Article 7 of the Constitution of the Republic) to regulate, supervise and control the operation of private employment agencies, guaranteeing the fundamental rights of workers and their registration. This is how the Ministry keeps a central list of institutions authorized to recruit and place personnel.

Article three of the Regulations provides the fundamental principles of the norm, among which are: non-discrimination, effective abolition of child labour, information confidentiality, solidarity, and human dignity (Government of the Republic of Honduras, 2017). While this instrument does not provide a clear definition of the recruitment process or ethical recruitment, these bases are assimilated to the two general principles and five specific principles of the *IRIS Standard*.

However, Article 23 on the regulation of the employment service offered by the agencies states the possibility of charging fees associated with the recruitment of workers, specifying that “a maximum of 50 per cent of the first monthly salary will be charged once the job seeker has been placed in a job by the AEP, except for temporary jobs of less than three (3) months, to which will apply the percentages in the above table.” This table establishes that if the contract duration is one month, 10 per cent of the first month’s salary will be charged; 20 per cent if it lasts two months and 30 per cent if it lasts three months. This provision does not comply with the employer pays principle, which establishes that employing individuals or entities should bear these costs and that no worker should bear costs associated with recruitment, hiring and job placement (IHRB, n.d.b.).

Honduran government officials interviewed for this study stated that the Ministry of Labour and Social Security, with support from IOM, is currently working on the creation of an instrument that will aim to register recruitment agencies and individual recruiters, as well as obligations and prohibitions in recruitment processes. Although this instrument was shared with the Ministry of Foreign Affairs and International Cooperation, the validation process with other governmental and business actors continues.

The Ministry of Labour and Social Security is also making efforts to promote ethical recruitment through information campaigns explaining the legal processes related to filing a complaint for fraudulent recruitment practices.

Regulation on this issue in Mexico and Honduras is recent. In the Honduran case, it was carried out in the last five years, while in the Mexican case, it was established in the last six years.

Table 4. Comparison of regulations for intermediary institutions in Mexico and Honduras¹¹

Criteria	Regulations for Worker Placement Agencies (Mexico)	Regulation for Worker Placement Agencies (Mexico)	Regulations for the operation of private employment agencies and related services (Honduras)	Latest amendment to the Regulations for the operation of private employment agencies and related services (Honduras)
Year of approval	2006	2015	2015	2017
Establishes a definition of the recruitment process	✗	✗	✗	✗
Provides for the hiring of its nationals abroad	✓	✓	✓	✓
The standard is inclusive (it provides for the recruitment of migrant workers in its territory)	✓	✓	✓	✓
Notes that private employment agencies must have a permit, certificate or license to operate	✓	✓	✓	✓

¹¹ The development of these criteria for the comparison of regulations was based on the *Dhaka Principles* and the principles of the *International Recruitment Integrity System Standard* (IRIS).

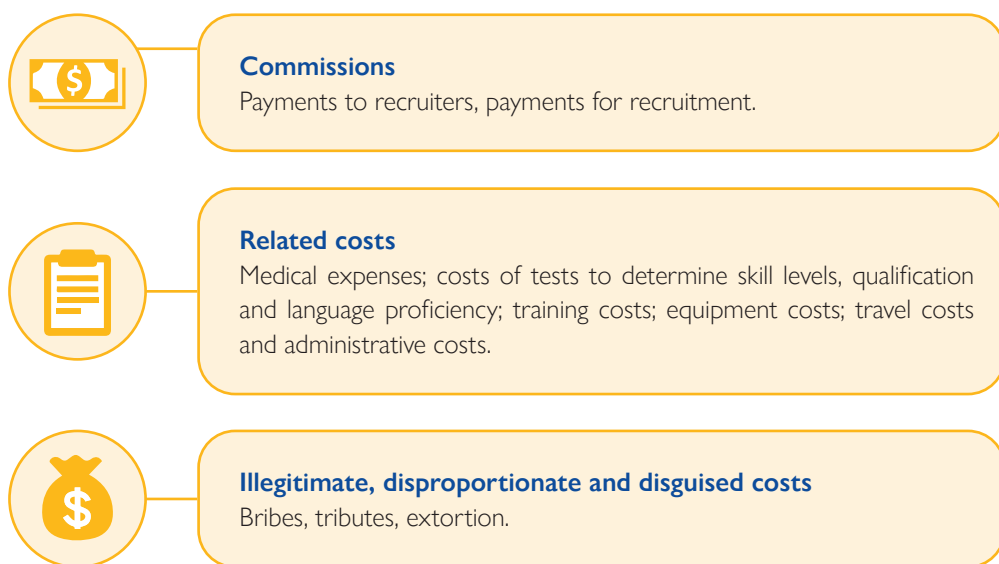
It establishes the prohibitions on intermediary institutions or contractors to ensure safe and decent living conditions	✓	✓	✓	✓
Identifies an authority responsible for the application of the regulations	✓	✓	✓	✓
It outlines the institutional and administrative procedure for filing a judicial appeal	✓	✓	✓	✓
States that the employer must bear recruitment and hiring costs	✗	✗	✗	✗
Establishes the need for clear and transparent contracts	✓	✓	✓	✓
Establishes penalties for non-compliance with the regulation	✓	✓	✓	✓
Prohibits the charging of recruitment-related fees to workers	✓	✓	✗	✗
Establishes a principle of non-discrimination	✓	✓	✓	✓
States that it is the obligation of private employment agencies to offer transparent terms and conditions	✓	✓	✓	✓
Establishes specific provisions on the prohibition of recruitment of underage persons	✗	✗	✓	✓
Notes that private employment agencies must have a permit, certificate or license to operate	✗	✗	✓	✓

Source: Prepared by the authors.

Although the countries of study included in this report have established mechanisms that facilitate labour migration, not all of them incorporate provisions for the regulation of the recruitment phase. For example, the Case Study of Guatemalan Youth in Mexico identified that some people travel in order to seek work opportunities in other countries even without having a clear job offer (either because it expired or because they never had one) and without having a TVTF (IOM and ILO, 2019b). Similarly, some key informants noted that recruitment through family members, acquaintances, intermediaries, or informal contractors is recurrent in some municipalities and communities.

The complexity of some migration processes and the lack of regulation may also mean that recruiting individuals or companies choose to utilize the services of intermediaries operating outside the legal framework to recruit migrant labour forces. These processes can be associated with fraudulent practices and an increase in the risks migrant workers are exposed to. A typical example of this is that migrant workers may be charged for recruitment fees, which, in addition to not meeting international standards, also increases the risk that workers end up in situations of forced labour (ILO, 2015).

Figure 10. Types of recruitment fees



Source: ILO, 2020a

In the context of recruitment practices in Belize, El Salvador, Guatemala and Honduras, one of the main challenges is strengthening labour migration management systems, specifically pertaining to recruitment. These challenges can be posed in terms of the limited national regulations for the operation of employment agencies and intermediaries, but also in terms of the ratification of international standards that provide the basic tools and guidelines to generate national norms. These gaps relate to other challenges for States; among them, the lack of capacities for the data collection on recruitment and the recruitment of migrant workers and the limited evidence of the economic impact of recruitment practices, malpractices, and even mismatches in labour markets (ILO, 2018a).

RECRUITMENT

The first phase of labour migration where a person is hired, in one territory, on behalf of an employer in another territory. It also refers to the commitment to provide employment in another territory.

PHASE 1

Recruitment

PHASE 2

Placement



PHASE 3

Employment and labour conditions in country of destination

PHASE 4

Return to country of origin or successive migration

ETHICAL RECRUITMENT

Actions aimed at attracting qualified candidates in a legal, equitable and transparent manner. It implies respect for laws and fundamental principles and rights at work.

According to the *Private Employment Agencies Convention* (No. 181) the principles of ethical recruitments are: every worker must enjoy freedom of movement, no worker must pay for their work and no worker must be forced to work.



INTERNATIONAL STANDARDS

- Employment Service Convention (88)
- Migration for Employment Convention (97)
- Private Employment Agencies Convention (181)
- Domestic Workers Convention (189)
- Dhaka Principles
- IRIS Standard
- General Principles and Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs
- Montreal Recommendations

RECRUITMENT PRACTICES

A distinction can be made between practices that consider international and national regulations; and those that are irregular and are carried out informally, not following legislation or regulations established for these processes.

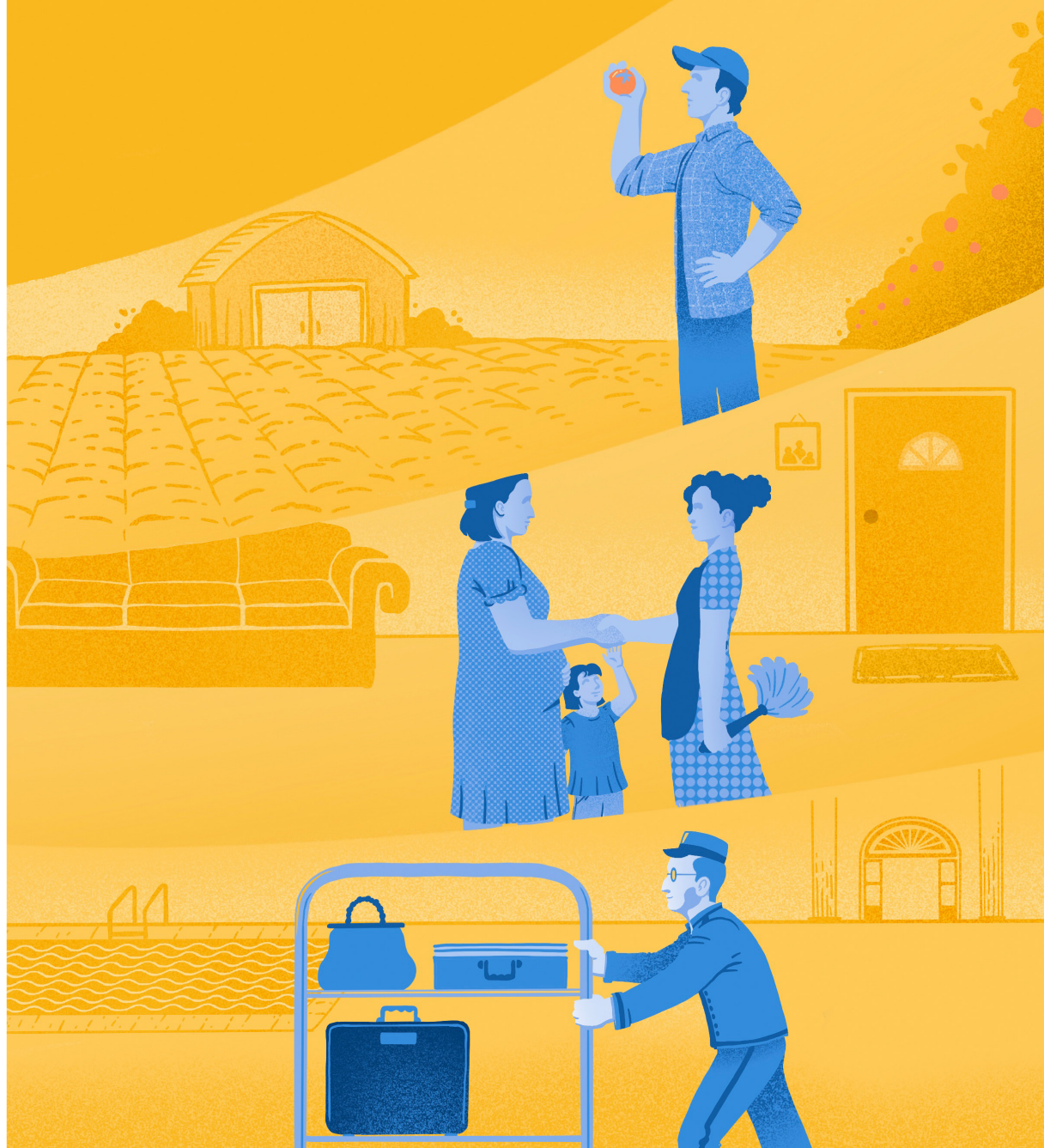
As part of the formal practices, the Republic of Honduras and the United Mexican States have national rules and regulations on employment agencies.

The national regulations face the challenge of incorporating specific provisions on the recruitment of migrants.

Among informal practices, recruitment through contractors stands out. This mechanism is associated with unscrupulous practices such as charging recruitment fees.



CHAPTER 2. RECRUITMENT PRACTICES OF MIGRANT WORKERS IN AGRICULTURE, DOMESTIC WORK AND TOURISM



This chapter provides an overview of the social and economic impact of agricultural, domestic work and tourism activities on Belize, Guatemala and Mexico as receiving countries of migrant workers. It also includes a brief description of the current migration dynamics and relationship with each of these economic activities and a detailed description of how migrant workers, mainly from El Salvador, Guatemala and Honduras, are recruited in these countries.

This chapter was based on primary data collected through 246 surveys of migrant workers, 25 in-depth interviews with migrant domestic workers, two focus groups with migrant workers in agriculture and tourism as well as stakeholder interviews.

AGRICULTURE

Historically, in Central America and Mexico, agriculture has been an essential activity for economic development. In Guatemala, for example, this sector contributes 14 per cent of the gross domestic product (GDP) and makes up approximately 36 per cent of the total foreign exchange generated through exports (Solano and Ochoa, 2019). Agriculture is also the leading producer of employment in the country. An example of this is that in 2019, agricultural activity accounted for 29.3 per cent of total employment. The main crops and sectors related to agriculture are basic grains, bananas, sugarcane, african palm, cardamom, among others. Particularly noteworthy is the cultivation of coffee, an activity that brings together 125,000 producers in 22 departments, and sugar cane, which employs more than 330,000 people (Government of the Republic of Guatemala, 2021).



214,000 minors work in agriculture and livestock farming in Mexico.

Source: INEGI, 2021

In Mexico, the main primary activity for 2019 was agriculture (Government of Mexico, 2019b). The country is the world's eighth-largest exporter of agricultural products (Government of Mexico, 2020f), and the main products are sugar cane, yellow and white corn, soybeans and wheat (Government of Mexico, 2019b). The sugar cane agroindustry generates approximately 440,000 direct and 2.2 million indirect jobs, with over 800,000 hectares cultivated in 267 municipalities (Government of Mexico, 2021a). On the other hand, coffee activity generates more than 700,000 direct and indirect jobs, and around 3 million Mexican people depend on its productive chain. The states where most coffee is grown are Chiapas, Veracruz, Oaxaca, Puebla and Guerrero (El Economista, 2019), all located in the south of the country.

As in Guatemala and Mexico, agriculture in Belize represents a substantial economic income for the country; its main export products being oranges, bananas and sugar cane (IDB, 2017). By 2019, the sugar, citrus and banana industries accounted for 4.6 per cent of GDP (Statistical Institute of Belize, n.d.). Thus, its production employs almost one-sixth of the employed population (approximately 23,000 people) (Statistical Institute of Belize, 2020).

MIGRATION AND AGRICULTURE

Agricultural activities in Central America and Mexico demand labour that, in many cases, cannot be covered by the national labour force. Therefore, the migration of people to work in agriculture-related activities accounts for a significant quantity of total migration flows (ECLAC, 2019). According to Mexico's [Southern Border Migration Survey](#) (Emif Sur) of 2020, of the total number of Guatemalan persons surveyed, 42.8 per cent work in agricultural activities, the main economic activity of these migrant workers, followed by construction (14.2%) and commerce (7.2%) (Government of Mexico, 2019a).

In Mexico, migrant workers, mainly from Guatemala and Belize, are employed to cut sugar cane and harvest coffee (Nájera, 2020). Such agricultural activities are concentrated in the states of Chiapas and Tabasco (ILO, 2021b; IOM, ILO, Government of Mexico and COLEF, 2020) where there is the possibility of working with the Border Worker Visitor Card (TVTF per its Spanish acronym).¹²

In the case of Belize, according to the *Labour Force Survey*, the countries of origin of migrant workers are Guatemala (36.9%) and Honduras (18.1%)¹³ (Statistical Institute of Belize, 2020). These workers are typically located in the Cayo, Stann Creek and Toledo districts, where the main citrus companies are located (IDB, 2017).

¹² As mentioned in Chapter 1, the TVTF allows Guatemalan and Belizean nationals to work in the states of Campeche, Chiapas, Tabasco and Quintana Roo.

¹³ According to this survey, 44.88 per cent answered that their country of birth is "other".

Map 3. Main locations where migrant labour is used in agriculture

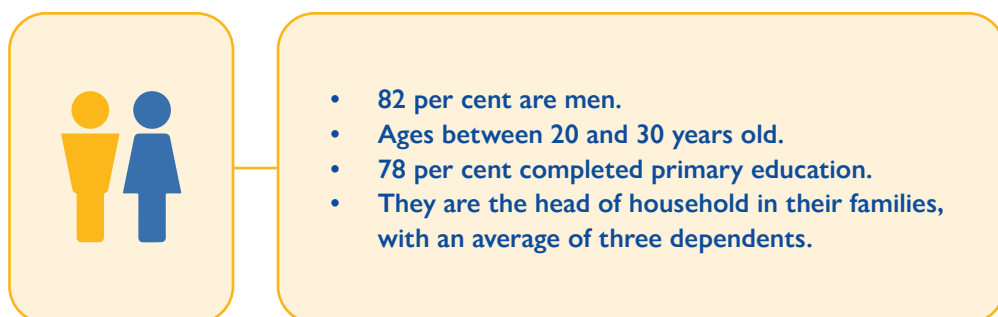


Source: Prepared by authors.

Note: This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.

The survey identified that approximately 82 per cent of the migrant population working in the agricultural sector in Guatemala, Mexico and Belize are men; this could be because migrant women employed in this economic activity are registered as accompanying persons; in addition, there is a predominant tendency to employ entire families of migrants or parts of family units (ILO, 2021b, p. 7). Data from the surveys support this, 22 per cent of the persons consulted said that when they travel to work, they do so accompanied by their families, and of these, 60 per cent said that their families also work in the country of destination.

Figure 11. Migration profile of migrant agricultural workers interviewed in Mexico, Guatemala and Belize



Source: Prepared by the authors with data from surveys of migrants.

As mentioned in the previous chapter, most people working in the agricultural sector move to workplaces temporarily, coinciding with harvest periods, especially those for coffee, sugar cane and citrus (IOM, ILO, Government of Mexico and COLEF, 2020; CCT, n.d.). Most migrants from Guatemala and Belize traveling to Mexico apply for the TVTF (IOM, 2021a) and the remainder do not apply for any work permit, mainly due to the lack of information available and the complexity of the process and its cost, which leaves their employment in the informal sphere (ILO, 2021b). In the case of El Salvador and Honduras nationals who are unable to apply for TVTF, this situation further hinders their regular insertion into the labour market and promotes the use of other forms of migration, such as the CA-4 mechanism (IOM, 2021a).¹⁴



38 per cent of migrant workers pay for their work permits by borrowing money and 55 per cent do so using their savings.

The difficulty of accessing regular labour migration mechanisms impacts working conditions, for example, on the levels of remuneration received by those employed in agricultural activities. According to Mexico's 2019 National Agricultural Survey, on average, an agricultural worker works 7.20 hours a day, earning 176,46 Mexican pesos (approximately USD 8.87) regardless of nationality (Government of Mexico, 2019b). Regarding accommodation and food, and according to the data collected for this report, 78 per cent were provided with accommodation (mostly rooms and shared houses, followed by a smaller percentage staying in bunkhouses) and 34 per cent were provided with food in the workplace.

RECRUITMENT PRACTICES IN AGRICULTURE

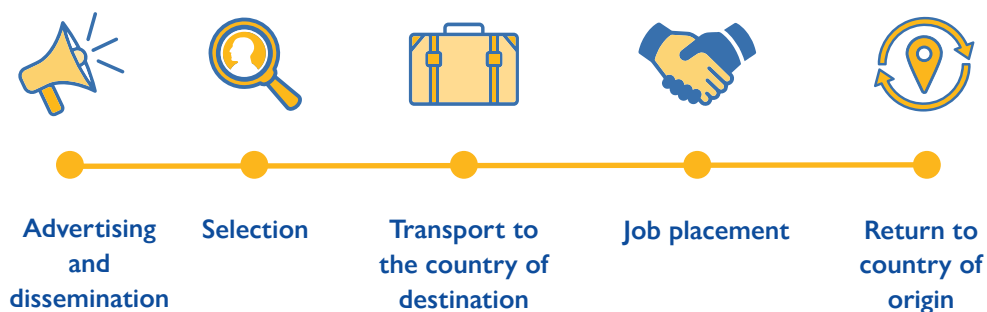
In the countries of study in this report, the recruitment of migrants working in the agricultural sector is almost exclusively informal. This may be due to several factors, including the agricultural labour programmes of the ministries/departments of labour to work abroad mainly focus on the United States of America and/or Canada (IOM, 2021a). Although labour agreements have been signed¹⁵ for intraregional migration, they are not yet being implemented. Likewise, and as discussed in Chapter 1, no national regulations govern the recruitment of migrants specifically in agricultural activities.

¹⁴ The CA-4 is the Agreement for the Creation of the Single Central American Visa for Free Mobility signed in 2005 by the Governments of Guatemala, Honduras, El Salvador and Nicaragua, which provides for the free mobility of persons, but without labour migration provisions.

¹⁵ These agreements are: the Agreement between Guatemala and Belize on a programme for seasonal workers; the Memorandum of Understanding on labour Cooperation between the Ministries of labour and Social Security of the United Mexican States and the Republics of: El Salvador, Guatemala and Honduras; and the Labour Cooperation Agreement between the Republic of Guatemala and the United Mexican States.

Most of the available information describes informal recruitment practices as being carried out in an organized manner (ILO, 2021b). In the first phase of the recruitment process (see Figure 12. The recruitment process for migrant workers), in other words, the advertising or dissemination of the job, is generally done “by word of mouth”. Of the persons surveyed for this study, 93 per cent said they heard about the vacancy through a family member or friend; 6 per cent through a contractor and 1 per cent through the radio.

Figure 12. Recruitment process for migrant workers



Source: IRIS, 2019.

Regarding the selection of workers, the first approach is usually made by private individuals; 56 per cent of all migrant workers said they were contacted by an informal contractor, while 14 per cent said an employer contacted them.



47 per cent of the migrant workers surveyed received a verbal contract.

On the other hand, 51 per cent of the respondents stated that they were not given any contract. In Guatemala, according to the Labour Code, in its Article 27, for agricultural work there is the option of establishing a verbal contract in a job that does not last more than 60 days; however, the performance of most of these tasks requires more time (Verité, 2017). Thus, in the absence of a written contract, migrants’ rights are at risk of being violated as they may not have access to complete and reliable information on the conditions of their recruitment and employment (ILO, 2019). According to the surveys conducted as part of this study, Belize is the country where migrant agricultural workers most frequently receive a written contract (approximately 73% of respondents), in contrast to Guatemala and Mexico, where, of 84 respondents, only 25 (approximately 28 per cent) reported receiving a contract. Of those, 20 were established verbally.

According to interviews with stakeholders, most Guatemalan migrants working in the agricultural sector in Mexico are contacted by intermediaries or informal contractors. Once this first contact has been made, these contractors oversee transporting migrants to the border, where immigration procedures are carried out; finally, the migrant workers are taken to their workplaces.

Figure 13. Informal recruitment process in the Guatemala-Mexico corridor in agriculture



Source: Prepared by the authors with data from IOM and ILO, 2019b; ILO, 2021b; Verité, 2017; focus groups and interviews.

According to information obtained in the focus groups, this form of recruitment also takes place in the El Salvador-Guatemala migration corridor, specifically in the municipality of Ahuachapán. Salvadorans stated that contractors arrived in vans in the municipality to take workers to the banana farms and sugar mills located in Guatemala, where the contractors were paid for each worker they took. Most people said they use their identity document to cross the border, as they know the CA-4 provisions.

This same process takes place in Belize, especially in the citrus industry. According to information provided by producer associations, contractors seek out migrants in their countries of origin and arrange work permits for them.

Figure 14. Recruitment Process in the Belize citrus industry



Source: Prepared by the authors with data from interviews with associations of employers and the private sector.

According to private sector informants in Belize, another common recruitment practice in agriculture is that migrants from northern Central American countries travel by their own means to Belize's citrus and banana farms in search of work. According to the survey data for this study, information about the job is disseminated through family networks, but recruitment in Belize is often done through private individuals that employers hire to recruit migrants. Work permits are processed through the Ministry of Labour, Local Government and Rural Development of Belize through the administrative staff of the farms.

According to the ILO, recruitment fees are those “fees or costs incurred in the recruitment process for workers to secure employment or placement, regardless of the manner, timing or location of their imposition or collection” (ILO, 2019, p. 11).

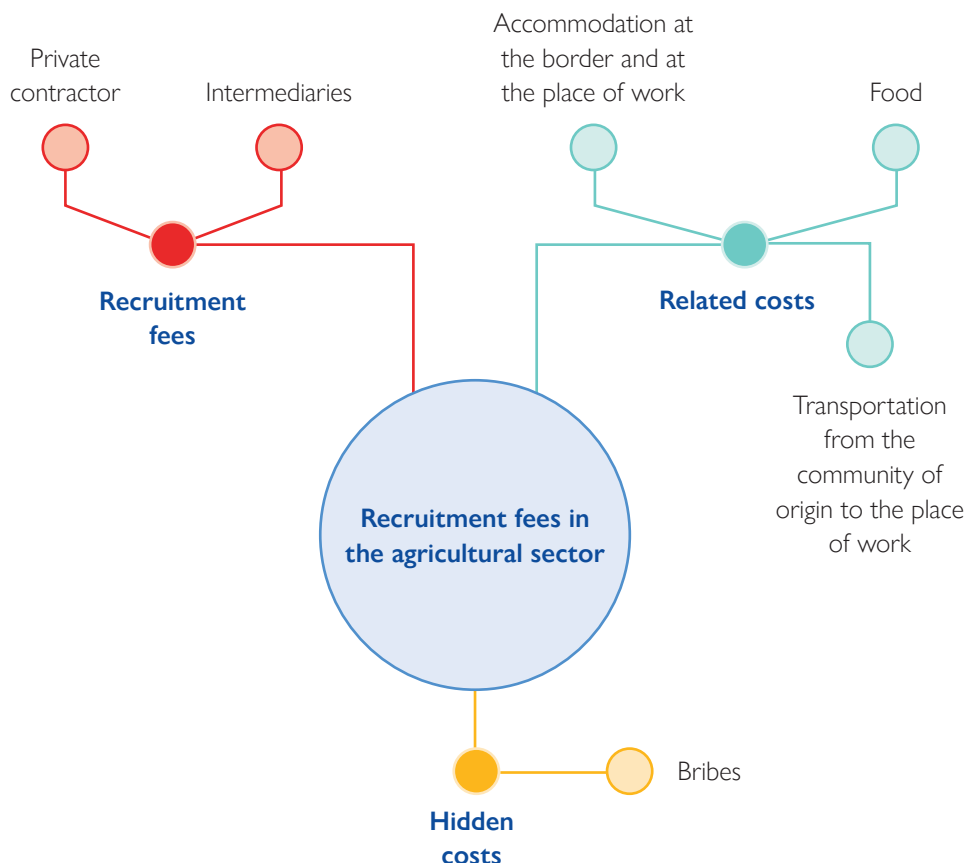
Regarding recruitment fees, most respondents reported that they did not pay any recruitment fees; however, they reported that they paid the total costs of transportation, accommodation, and food with their own money. In other words, even if these expenses are associated with the recruitment process, agricultural migrant workers may not consider them as such. According to Recommendation 2 of the *Montreal Recommendations on recruitment*, measures should be taken to eliminate recruitment-related costs to workers and job seekers. As explained in Chapter 1, this refers not only to the fees charged by recruitment agencies, individual contractors or intermediaries but also to indirect costs or related expenses (see Figure 15. Recruitment-related costs in the agricultural sector) such as payment for documents or migration procedures and costs of transportation, food, accommodation and those related to separation from family and friends (IOM, 2018b).

Migration from Guatemala to Belize. The case of Antonio, a 26-year-old Guatemalan

“I used to cross the border daily to go to work on the banana, sugar cane or citrus farms. You do not earn much but you do earn enough to survive. I moved to Melchor and that allows a 24 hours free pass to Belize, enough to get there and back. There are many of us who do that, in the Belizean customs they charge us from a dollar to ten Belizean dollars to let us cross. However, the pandemic changed the lives of all of us in this town, now we are not allowed to cross by state orders, our income was greatly affected. We are looking for work here, but they pay very little, we hope that soon the restrictions to travel from country to country.”

For example, migrants must pay for accommodation in the transit community (in the case of the El Salvador-Guatemala and Guatemala-Mexico migration corridors), and sometimes for accommodation at the place of work (one-sixth of those surveyed for this study reported that they pay for shared or private rooms for accommodation), and more than half said that they must pay for food.

Figure 15. Recruitment-related fees and costs in the agricultural sector



Source: Prepared by the authors with data from surveys and focus groups.

Key informants reported bribery payments, especially from contractors or intermediaries, made to government agents at the borders which intended to bypass immigration procedures and bring workers to the workplace without processing a work permit. This is consistent with what has already been pointed out by several studies, that many informal recruitment practices lead to fraudulent and illegal actions that increase the vulnerability of migrant workers and make it difficult to monitor and regularize migration labour flows adequately (ILO, 2021b; IOM, ILO, Government of Mexico and COLEF, 2020; ILO, 2019).

IMPACT OF COVID - 19 ON RECRUITMENT PRACTICES OF MIGRANTS IN AGRICULTURE

The pandemic caused by COVID - 19 has resulted in many migrant workers worldwide losing their jobs¹⁶ (UNDP, 2020) or returning to their countries of origin without being able to re-enter the country of destination (IOM, 2020e). Seasonal migration, including that for agricultural work, has been particularly affected by the administrative closure of borders and the inability of migrants to join the labour force (ILO, 2021c, p. 102).

Table 5. Impact of COVID-19 on recruitment practices in the El Salvador-Guatemala corridor

Before the pandemic	During the pandemic
The contractor would arrive in the communities of origin in El Salvador to contact and transport interested persons to Guatemala.	Many interested persons decided to migrate and reach the farms in Guatemala by their own means.
Salvadorans moving to farms in Guatemala from December to March were numerous (more than 100 people).	The number of Salvadorans moving to farms in Guatemala has dropped considerably, by almost 80%.
Frequently, Salvadoran migrants used the CA-4 to cross the border at authorized entry points.	There was an increase in the use of informal border crossing points because the antigen or PCR test, which costs approximately USD 180, is requested at official points.

Source: Key informant interviews and focus groups with migrants.

In Belize, the form of recruitment in the workplace has changed, mainly due to the health and mobility restrictions imposed by the Belizean government in the context of the pandemic caused by COVID-19 (IOM, n.d.b.). According to private sector informants, recruitment is now done internally by placing advertisements in the surrounding communities. This has been a significant challenge for the country's agricultural activity, due to the limited number of Belizean workers willing to work in this activity and the fact that there is not enough national labour to fill the vacancies.

¹⁶ As part of IOM's efforts to improve the protection provided to migrant workers in the context of the pandemic caused by COVID-19, two guides were developed for labour recruiters and employers and businesses. These resources are available at: www.reliefweb.int/report/world/covid-19-gu-para-reclutadores-de-mano-de-obra-para-mejorar-la-protecci-n-del-trabajador and at www.reliefweb.int/report/world/covid-19-documento-de-orientaci-n-destinado-empleadores-y-empresas-para-mejorar-la

Box 2. Good practices in migrant recruitment for agriculture

- [Project to implement fair recruitment in the agricultural sector in Mexico](#) is a toolbox that allows agricultural producers to learn about and implement fair hiring in their recruitment processes.
- [Responsible Agricultural Company Certificate \(CEAR\)](#) CEAR is a tool designed for agricultural producers in Mexico to implement recruitment, hiring and transfer of workers in accordance with international standards and national regulations.
- [Coalition of Sinaloa Migrant Workers in Mexico](#) has succeeded in being an important interlocutor between Mexican migrant workers and the Ministry of Labour and Social Security by getting the latter to inspect recruitment agencies that engage in scams or deception.
- [Recruitment practices of CIERTO Global farm worker placement agency aligned with ILO General principles and operational guidelines for fair recruitment](#) CIERTO Global: this agency recruits, trains and places experienced farm workers on farms in the United States of America, using mechanisms that encourage ethical recruitment.

Source: Prepared by the authors.

RECRUITMENT PRACTICES

AGRICULTURE



METHOD OF DISSEMINATION

93% surveyed migrant workers stated that they heard about their job opportunity through a family member or friend.



PLACE OF RECRUITMENT

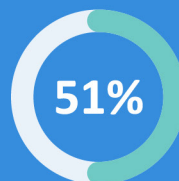
The recruitment of migrants to work in agriculture is often carried out informally. Recruitment takes place in the country of origin (Guatemala-México, Guatemala-Belize, El Salvador-Guatemala migration corridors). Recruitment also takes place in the country of destination (El Salvador/Honduras/Guatemala-Belize migration corridors).

RECRUITMENT-RELATED COSTS AND FEES



Food, transportation and accommodation

CONTRACTS



Respondents who did not receive a contract

IMPACT OF THE COVID-19 PANDEMIC



The pandemic caused by COVID-19 and the restrictions applied at the borders have changed the recruitment process of migrants working in the agricultural sector, they are no longer recruited through intermediaries or informal contractors, but occasionally travel to work sites on their own.

According to the ILO *Domestic Workers Convention* (No. 189), domestic work means work performed in or for a household or households (Article 1). Generally speaking, domestic workers provide personal care and look after the household. Occupations and tasks considered as domestic work vary from country to country (ILO, n.d.a.); however, in Central America and Mexico, they generally include activities such as cooking, cleaning, caring for children, assisting the elderly and persons with disabilities, tending the garden or pets, or driving the family car (ECLAC, 2020).

According to current estimates, 75,6 million people over the age of 15 work as domestic workers in the world, constituting 2.3 per cent of global employment (ILO, 2021d). In addition, there are 11,5 million migrants working in domestic work globally (ILO, 2018b).¹⁷

While this economic activity makes a valuable contribution to societies (IOM, 2020f), its economic value is quantified in few countries. Of the recipient countries included in the study, only Mexico has incorporated unpaid domestic work into the economic estimates. According to data from the Government of Mexico, this activity accounted for 22.8 per cent of GDP in 2019 (Government of Mexico, 2020a). Similarly, this economic activity contributes significantly to the development of the countries of origin, alleviating national unemployment or underemployment and contributing to economic progress through remittances (IOM, 2020f).

According to the National Employment and Income Survey of Guatemala 2018, domestic workers represent 4.3 per cent of the employed population in Guatemala. However, their percentage of participation increases when considering visible underemployment (6.4%). This may be because most domestic workers do not have formal jobs with written contracts and see their working hours reduced, in most cases involuntarily. This situation decreases their income, and places them below the level they could reach under normal conditions (ILO, n.d.b., p. 8). This is also the case in Mexico, where 96.7 per cent of the 2,5 million people who work in these types of jobs do so informally (Government of Mexico, 2020a).

Since it is usually carried out informally, there is a lack of information on the number of people working in these activities. This same situation and the fact that domestic work is often performed in private homes makes it difficult to monitor and follow up on the labour rights for these people (IOM, 2019d).

¹⁷ Women migrant workers are the most common service sector workers in the world. According to ILO figures for 2021 this differentiated presence may be due to the fact that there is a "growing labour demand in the care economy, including health and domestic work" as these activities have a predominantly female participation, in addition to a dependence on migrant women workers (ILO, 2021a, p. 6). In Chapter 3 of this report, "Risks to migrant workers associated with recruitment", a section is devoted to delving into the differentiated conditions of recruitment for women migrant workers.

In Latin America and the Caribbean, the participation of migrants in paid domestic work is high, accounting for 36 per cent of all women migrant workers (ILO, 2016). Likewise, this economic activity has the characteristic of being a feminized occupation (IOM, 2020f; Government of Mexico, 2020a, n.d.a.; UN-WOMEN, ILO and ECLAC, 2020; ILO, 2021d, 2021b).

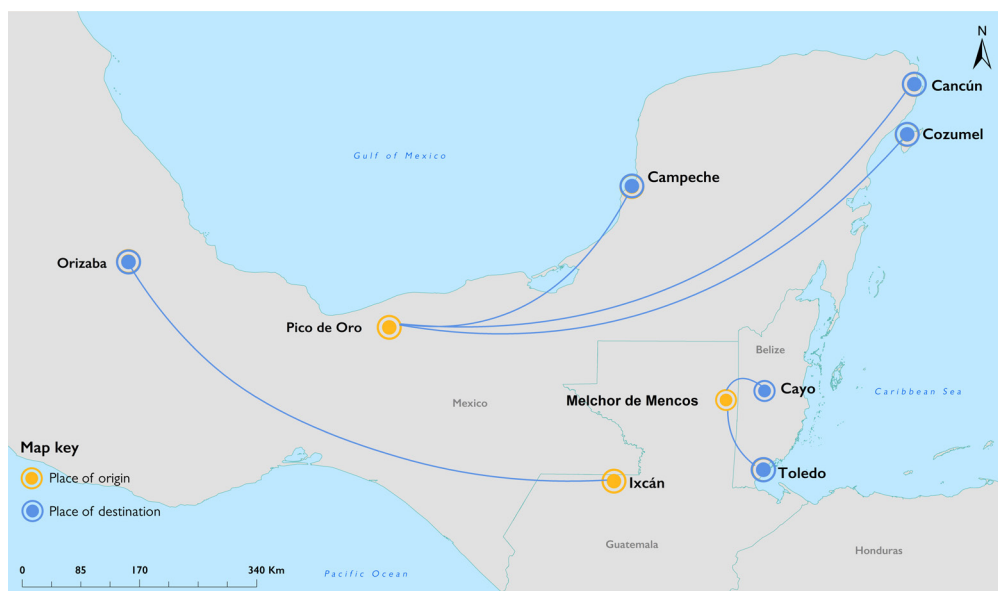
In the context of this research study, approximately 89 per cent of surveyed migrants working in domestic work are women. Additionally, although it was found that most are of working age (the age of 57% of those surveyed is between 20 and 35 years old), other studies have documented that many migrant women start working when they are still minors¹⁸ (UN Women and Colegio de México, 2015; ILO, 2021b).

In Belize, Guatemala and Mexico, the main participants in domestic work are people from El Salvador, Guatemala and Honduras. In Mexico, of the total number of women employed in domestic work, 37 per cent are Guatemalan, followed by Salvadorian women (33.8%) and Honduran women (10.6%) (UN Women and Colegio de México, 2015). According to Emif Sur 2018, 7 per cent of the crossings of Guatemalans to Soconusco were for domestic work.

The flow of domestic workers has a long tradition on Mexico's southern border and is mainly composed of young women from western Guatemala (UN Women and IMUMI, 2017). According to the surveys conducted for this study, most migrant workers come from the municipality of Quiché, specifically from Ixcán.

¹⁸ The study uses the term "very young ages", i.e. starting at age 12.

Map 4. Main migration flows in domestic work



Source: Prepared by authors.

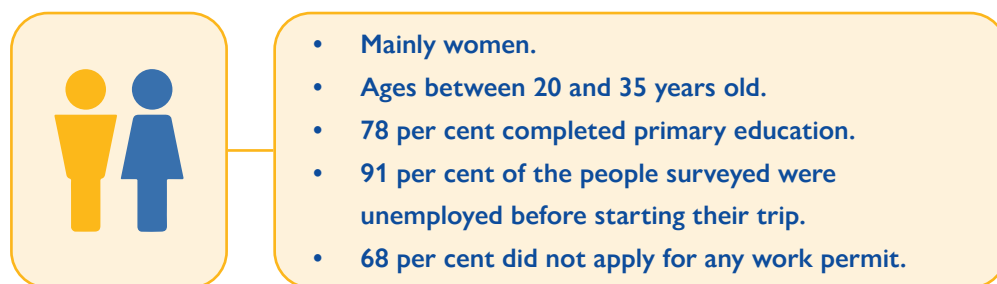
Note: This map is for illustration purposes only. The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the International Organization for Migration.

On the other hand, migration flows of Guatemalans who move to Belize to work in domestic labour come mainly from Melchor de Mencos. According to available data, most of them travel every week to Belize to work in this economic activity; they travel to Belize on Sundays and return to Guatemala on Fridays.

The lack of opportunities in their countries of origin and the expectation of better wages drive women to migrate to other countries. It was found that 91 per cent of the people surveyed were unemployed before starting their trip. Insertion in domestic work is mainly due to the high demand for labour and the low requirements¹⁹ requested by employers to work in this activity (ILO, 2016).

¹⁹ According to women migrant workers in this activity in the in-depth interviews, the main requirement requested by employers is previous experience in similar activities or references from previous employers.

Figure 16. Migration profile of migrants working as domestic workers in Mexico



Source: Prepared by the authors with data from surveys of migrants.

The factors stated above place these migrant women in a situation of vulnerability that increases the risk that the conditions in which they work are not in line with international standards (SICA et al., 2016). Of the countries included in the study, only in Guatemala is the minimum wage for a domestic worker equal to the national minimum wage. Also, many domestic workers do not have social security (UN-Women, ILO and ECLAC, 2020); in Mexico, for example, the National Survey on Occupation and Employment identified that by 2019, 73.8 per cent of all those surveyed who perform domestic work did not have employment benefits.

RECRUITMENT PRACTICES IN DOMESTIC WORK

As in agriculture, recruitment for domestic work is informal. Within the framework of this study, no duly formalized recruitment agencies were found in Belize, Guatemala or Mexico that hire migrants from El Salvador, Honduras and Guatemala for domestic work.

The labour dynamics concerning domestic work between the Mexico-Guatemala and Belize-Guatemala migration corridors have been documented (ATRAHDOM, n.d.; United Nations Women and Colegio de México, 2015; ILO, 2021b). This dynamic has favored the construction of family networks and networks of nationals, which influence how migrants are recruited to work in this economic activity (IOM, ILO, SICA and Government of Belize, 2012). According to surveyed migrants, 94 per cent stated that they heard about the vacancy through a family member or friend. Also, 54 per cent got the job by their own means, and 37 per cent were recruited through the employer.

Working conditions The case of María Ángeles, a 47 year old Salvadorian

“I had already been working for one month and one week and they hadn’t paid me. And when I told the person, the lady, to pay me, because I had two children and I had to bring the money to my daughters, what she did was that she threw me out on the street.”

Figure 17. Forms of recruitment of migrants into domestic work in Mexico



Source: Prepared by the authors with data from surveys of migrant workers and key informant interviews.

The incorporation of people from El Salvador and Honduras into domestic work in Mexico, Guatemala and Belize is more recent, but according to this study, it also occurs informally. Most of these people migrate because of factors associated with violence, gender-based violence and insecurity and find work as domestic workers in their country of destination (ECLAC, 2020). This is consistent with the surveys conducted, where 85 per cent reported that they were recruited in-country.

Many domestic workers in Mexico who find employment once in-country may be related to another common form of recruitment: some migrant workers congregate in Tapachula's Central Park, where they are contacted by householders and recruited to work in private homes in the area.

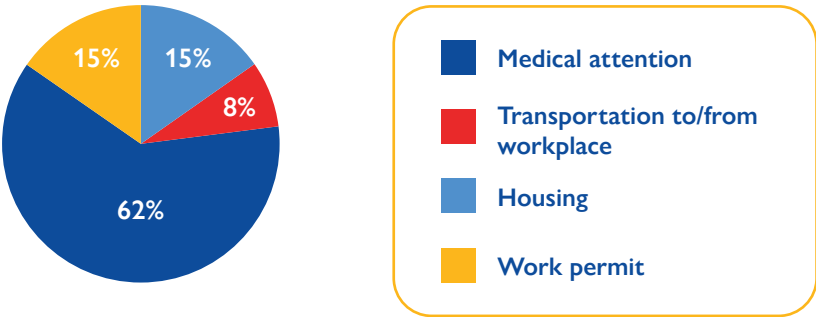
Recruitment by contact networks: The case of Patricia, a 30-year-old Guatemalan

"I was working on a coffee farm. At the farm they told me about the work in the house and since I could also see that the work in the farm was very tiring, very heavy. Then one person told me, 'Look, in Tapachula they are looking for a person to do domestic work,' so that's where I heard about this job."

In line with other research studies (ATRADHOM, n.d.; ILO, 2021d), this report also documented that some women obtain information on employment opportunities through the internet. This increases their risk of being in vulnerable situations because it has been reported that many of the advertisements available on these platforms provide false or misleading information about the job offer, and may put domestic workers at risk of human trafficking, forced labour, sexual exploitation and smuggling of migrants (IOM, 2019e; ILO, 2019).

Concerning contracts, only one-third of the persons surveyed received a contract; of these, 100 per cent reported that the contract was established verbally. According to Article 8 of the ILO *Domestic Workers Convention* (No. 189), domestic workers must be given a written contract detailing their working conditions so that the contract cannot be replaced with another contract with deplorable conditions that increase the risk of labour exploitation and are detrimental to their rights (IOM, 2020f).

Graph 1. Benefits offered to migrants in verbal contracts²⁰



Source: Prepared by the authors with data from surveys.²¹

The contracts offered to the migrants surveyed for this study include some services; in these cases, the most significant benefit offered is housing. This could be related to the fact that these persons commonly stay at their employer’s home. Of the total benefits offered to migrants, approximately 62 per cent corresponds to accommodation in the workplace, which is consistent with the percentage of people who reported that this service was offered in their verbal contracts.

IMPACT OF COVID-19 ON RECRUITMENT PRACTICES OF MIGRANTS IN DOMESTIC WORK

Domestic work has been one of the main economic activities affected by the COVID-19 pandemic. For domestic migrant workers, the health emergency has meant dismissal, reduced working hours and thus either a reduction in income or increased household workload. In a study carried out by IOM in 2020, many migrant domestic workers reported that they have had to work overtime, without overtime pay or compensated hours. In addition, some domestic workers have been pressured to stay overnight at their workplaces in order to reduce risk or exposure to possible infection and transmission during their commute (IOM, 2020g).

In addition, given the informality of this economic activity, most domestic workers have not been able to access social security services and have been forced to spend time in quarantine in their employers’ homes or have even been dismissed, thereby losing their place of residence in the host country (ILO, 2021d).

Within the framework of this study, the survey of migrant workers and the in-depth interviews showed that the pandemic forced domestic workers to stop working, given the impossibility of traveling from their homes to the places where they carried out their work.

²⁰ These benefits were mentioned by the migrants surveyed as part of this study.
²¹ These data are based on the 11 people who reported receiving a verbal contract.

Box 3. Good practices in migrant recruitment for domestic work

- **Include the private sector in the recruitment of domestic workers:** The Association of Domestic, Home and Maquila Workers (ATRAHDOM, as per its Spanish acronym) and the Union of Domestic, Maquila and Related Workers (SITRADOM, as per its Spanish acronym) of Guatemala are in the process of creating the first Employers' Association for Domestic Workers in Guatemala to improve the economic rights of national and migrant domestic workers.
- **Report on the Situation of the Rights of Domestic Workers in Mexico City:** The Government of Mexico City, together with civil society organizations, prepared the report, which provides a detailed overview of compliance with labour rights and the conditions of discrimination faced by people in this economic activity, in the light of the entry into force of Convention No. 189. In addition, it provides recommendations for the different entities of the local Public Administration of Mexico City.
- **Reduction of average recruitment fees:** The Costa Rican Social Security Fund of Costa Rica modified the modality of social insurance for domestic workers and lowered its cost; it also allowed online registration and supervised the actual existence of contracts that guarantee the labour rights of these people.

Source: Prepared by the authors.

RECRUITMENT PRACTICES

DOMESTIC WORK

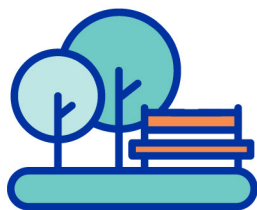


METHOD OF DISSEMINATION



Migrant workers who work in domestic labour learn about job opportunities through acquaintances, family members or friends. Social media was also reported as a means for the dissemination of job opportunities.

PLACE OF RECRUITMENT



80% of all survey respondents stated that they were recruited in the country of destination. Tapachula's Central Park in Mexico is a major recruitment point for domestic workers.

CONTRACTS



Only one third of respondents received a contract; of these, 100% were verbal contracts.

IMPACT OF THE COVID-19 PANDEMIC



For migrant and domestic workers, the health emergency has meant either layoffs, a reduction in income or an increase in household workload.

TOURISM

Globally, tourism as an economic activity has grown over the years, demanding more and more labour; with one out of every 11 jobs corresponding to it (ILO, 2017a). In Central America and Mexico, tourism is a vital industry. In 2019, in Belize it accounted for 17.2 per cent of GDP (Statistical Institute of Belize, 2019, p. 151); in Mexico, 8.7 per cent of GDP (Government of Mexico, 2020d), and in Guatemala, 8.5 per cent for the same period (Government of Guatemala, 2016).

According to data from the Statistical Institute of Belize, in Belize, tourism generated 20,680 jobs in 2018, a figure that increased to 29,402 in 2019. Among the areas that concentrate most of the tourist activities are Corozal, Orange Walk and Belize City. In the first of these cities, 32 hotel establishments and 382 rooms accommodate tourists (Statistical Institute of Belize, 2019).

In Mexico, from January to March 2021, the tourism sector accounted for 8 per cent of total employment in the country; that is, just under 4 million jobs (Government of Mexico, 2021b). The most important tourist areas are in the states of Chiapas, the State of Mexico, Guanajuato, Guerrero, Jalisco, Nayarit, Oaxaca, Puebla, Quintana Roo and Veracruz, and they concentrate 53 per cent of the hotel establishments at the national level (Government of Mexico, 2020d).

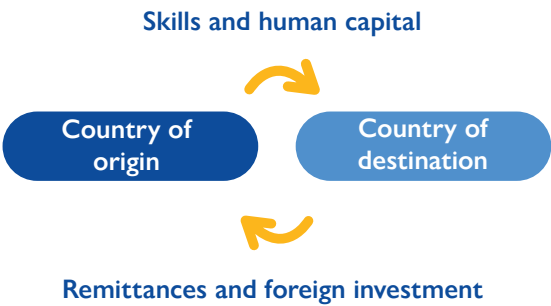
In Guatemala, the departments that concentrate most tourism activities are Petén, Izabal, Alta Verapaz, Quetzaltenango and Quiché (Government of Guatemala, n.d.).

MIGRATION AND TOURISM

Tourism has also generated an immediate demand for labour that national workers do not always meet. Thus, migrant workers globally constitute a large proportion of people working in tourism activities and are very often employed in part-time, seasonal or casual work (ILO, 2017a, p. 18).

Data on the actual number of migrants working in the tourism industry are scarce. This is because in many countries, it is not common to disaggregate them and because migrants who enter this industry are often in informal employment. However, it is estimated that there are four reasons why tourism relies heavily on migrants: job characteristics (temporary and part-time), location (in remote places with low population density), required skills and low pay (Center for Global Development, 2020).

Figure 18. Relationship between tourism and migration in country of origin and destination

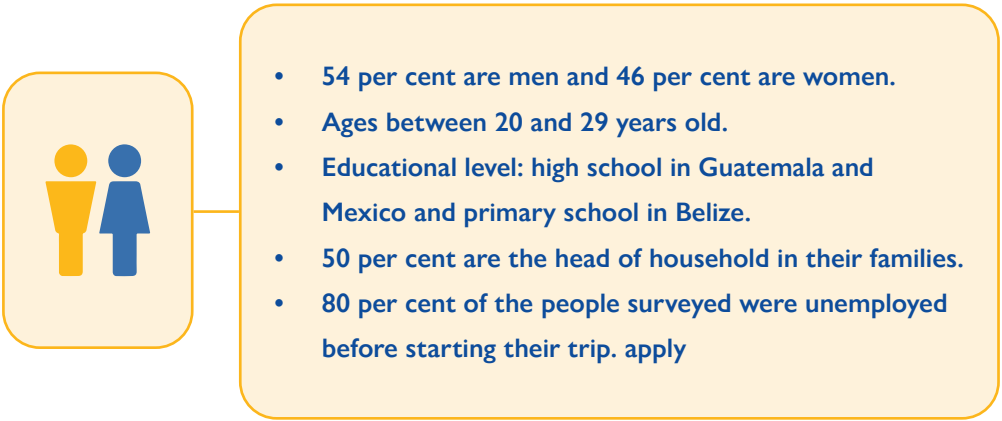


Source: OMT, 2010.

The movement of Guatemalans to Mexico is historical and goes back to refugee settlements in the 1980s, especially in Chiapas. Subsequently, the refugee camps were relocated from Chiapas to Quintana Roo (Sáenz, 2013). When the refuge period ended, the integration process of the Guatemalan population that decided to stay in Mexico was accompanied by various mobilizations in Quintana Roo, mainly directed towards the tourist poles of Cancun and Playa del Carmen, as well as the capital of this state (Coria, 2018). According to the 2015 Intercensal Survey, Quintana Roo is, after Chiapas, the second state of residence of the Guatemalan population (Government of Mexico, 2015). This explains why many Guatemalans work in the tourism industry in Quintana Roo.

In the tourism sector, labour migration to Mexico also includes Belizeans. The context of this migration flow was the crisis in the sugar industry in the 1980s, when these people moved to Cancun, where there was a high demand for bilingual workers (IOM, 2013a).

Figure 19. Migration profile of migrants working in tourism in Belize, Guatemala and Mexico



Source: Prepared by the authors with data from surveys of migrants.

One difference, concerning the other economic activities covered in this study, is that the educational level of migrants working in the tourism industry, especially in Mexico and Guatemala, tends to be higher than in the other activities analysed. Out of a total of 26 people surveyed in these two countries, 18 have a high school education. Other studies have identified that the tourism industry often benefits from the skills and qualifications of migrant workers, who may even be overqualified for the jobs they hold (ILO, 2012).

RECRUITMENT PRACTICES IN TOURISM

In the tourism industry, recruitment of migrants takes place mainly in the country of destination (85 per cent); however, people often find out about the work opportunity in the same way as in agriculture and domestic work: through a family member or friend (IOM, ILO, SICA and Government of Belize, 2012).



Of the 70 people surveyed, only 37 per cent received a contract, and of these only 10.7 per cent stated that this was provided prior to the trip.

The most common hiring modality for this economic activity is through a contractor or company. In addition, as this is informal recruitment, in most cases, a contract is not offered. Of the 70 people surveyed in this study, only 37 per cent received a contract, and of these, 50 per cent were verbal.

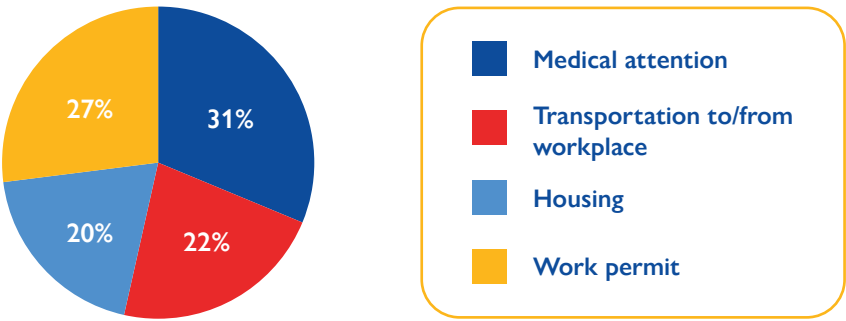
Following the recruitment process (see Figure 12. Recruitment process of migrant workers), and because migrants in this economic activity usually get their jobs in-country, transportation to the workplace and accommodation and food are paid for by their own means.

According to interviews with the private sector, most formal recruitment processes take place directly with the companies, so participation in government job fairs tends to be limited. According to these informants, there is little coordination between government agencies and employers in the tourism industry on issues regarding migrant recruitment.

Concerning the benefits offered to migrants working in the tourism industry, 31 per cent corresponds to medical care and 27 per cent to work permits (see Graph 2). Benefits offered to migrants in verbal work contracts in the tourism industry). Regarding this last offer on the part of the employers to assist in the migratory processes, most of the people surveyed for this study²² reported that the contract offered the processing of the work permit. However, when they were asked if they had to pay for this process, they answered yes. This can increase the risk of migrant workers being abused by employers or subjected to debt bondage and other forms of economic coercion (ILO, 2019), especially if the money for these arrangements is loaned.

²² There were no significant differences between the countries of destination for this study (Belize, Guatemala and Mexico).

Graph 2. Benefits offered to migrants in verbal work contracts in the tourism industry



Source: Prepared by the authors with data from surveys.²³

IMPACT OF COVID-19 ON RECRUITMENT PRACTICES OF MIGRANTS IN TOURISM

The tourism industry has been significantly affected by the emergency caused by COVID-19 and the changes in migration management implemented by Central America and Mexico governments as a result. These changes have slowed the inflow of foreign currency into tourism activities and have resulted in the loss of approximately 305 million jobs worldwide since the beginning of the pandemic, the vast majority of which are in the tourism sector (ILO, 2020b).

Travel restrictions and temporary closures of tourism sub-sectors such as hotels and food services have resulted in significant numbers of migrants being laid off or having their wages reduced, affecting their ability to send remittances.

Source: IOM, n.d.c.

In Belize, in 2020, 35 per cent of persons who lost their jobs due to the pandemic caused by COVID-19 were employed in tourism activities (Statistical Institute of Belize, 2020, p. 3). In Mexico, the reduction of employment in this sector corresponds to approximately 17.8 per cent (Government of Mexico, 2021b). In Guatemala, there is no exact data on the reduction of employment in the tourism industry, but government reports state that a significant reduction in international visitors was experienced (Government of Guatemala, 2020).

²³ These data are based on the 26 people who reported receiving a contract.

According to the information collected in the focus group with people involved in tourism activities, recruitment practices and employment in this sector have changed because, although they can now cross borders, the request for antigen or PCR testing by government authorities and employers has meant that they must seek other forms of livelihood or move around irregularly.

In addition, occasionally, voluntary return is contemplated to get vaccinated and then go back to the companies where they work. In other cases, periods of stay in the country of destination have been prolonged because of the economic and administrative inability of migrant workers to return home.

Box 4. Good practices in migrant recruitment for tourism

- **Promotion ethical recruitment in Panama:** The Ministry of Work and Labour Development, with the support of IOM, is carrying out actions to prevent human trafficking and labour exploitation through ethical recruitment.
- **Multi-sectoral partnerships to promote the International Recruitment Integrity System (IRIS) in the travel industry:** The International Organization for Migration (IOM) and the Sustainable Hospitality Alliance launched a partnership to promote ethical recruitment and protection of migrant workers in the tourism industry.

Source: Prepared by the authors.

RECRUITMENT PRACTICES

TOURISM



METHOD OF DISSEMINATION

Of the surveyed persons, **85%** heard about their job opportunity through a family member or friend.

RECRUITMENT-RELATED COSTS AND FEES



Transportation, food, accommodation and work permits

PLACE OF RECRUITMENT

85% of respondents were recruited in the country of destination



CONTRACTS

Of the surveyed persons, **37%** reported that they received a contract, and of these, half stated that it was a verbal contract.



IMPACT OF THE COVID-19 PANDEMIC

In Belize, **35%** of persons who lost their jobs were working in tourism. In Mexico, employment in this sector decreased by **17.8%**

Table 6. Comparison of recruitment practices of migrant workers by economic activity

	AGRICULTURE	DOMESTIC WORK	TOURISM
Profile of recruited persons	Mainly men between the ages of 20 and 30 years old Educational level: primary school	Mainly young women Educational level: primary school	Young persons (20 to 29 years old) Educational level: mostly high school in Guatemala and Mexico
Method of disseminating employment	<ul style="list-style-type: none"> • Family/friend • Radio advertisement • Contractors 	<ul style="list-style-type: none"> • Family/friend • Online advertisement 	<ul style="list-style-type: none"> • Friend/acquaintance
Place of recruitment	Country of origin and destination	Country of destination	Country of destination
Person who recruits	<ul style="list-style-type: none"> • Intermediary/contractor • Employers 	Employers	Employers
Requirements	Sometimes, when recruitment takes place in the country of origin (El Salvador, Honduras and Guatemala), they are put on a list and asked for their documentation	-	-
Recruitment related fees and costs	<ul style="list-style-type: none"> • Accommodation • Food 	<ul style="list-style-type: none"> • Accommodation • Food 	<ul style="list-style-type: none"> • Accommodation • Food • Regularization fees
Contractors	<ul style="list-style-type: none"> • Written, mainly in Belize • Verbal 	Verbal	Verbal

Source: Prepared by the authors with data from surveys and focus groups.

CHAPTER 3. RISK FACTORS ASSOCIATED WITH RECRUITMENT PROCESSES



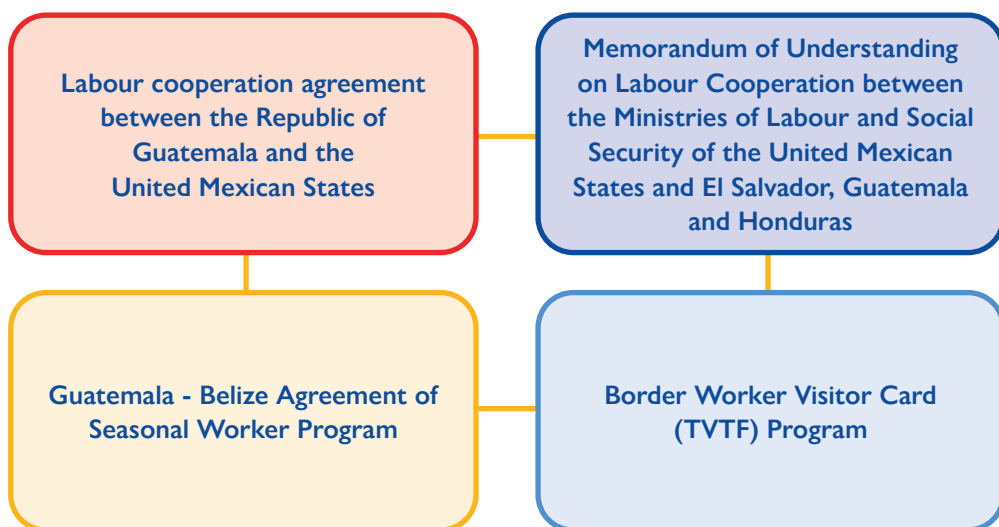
This chapter analyses the risks migrant workers may be exposed to during recruitment processes and migration procedures. In addition, emphasis is placed on the greater vulnerability situations of some migrant populations, including women, migrant children and adolescents.

Most of the information analysed in this chapter is based on 246 surveys of migrant workers, 25 in-depth interviews with migrant domestic workers,²⁴ two focus groups with migrant workers in agriculture and tourism as well as stakeholder interviews.

RISKS ASSOCIATED WITH MIGRATION MANAGEMENT IN THE RECRUITMENT CONTEXT

There are four migration management instruments for the regularization of migrant workers used in El Salvador, Honduras, Guatemala and Mexico and which exist as labour mechanisms in other nations (see Figure 20). However, regarding labour mechanisms in Belize, El Salvador, Honduras, Guatemala and Mexico); a study published by the IOM in 2021 found that such mechanisms have little impact on the prevention or reduction of irregular migration flows and the informal insertion of migrant populations into labour markets (IOM, 2021a, p. 80). One factor affecting this is the lack of implementation of these labour mechanisms; of the four mechanisms, only the Border Worker Visitor Card Program (TVTF, per its Spanish acronym) is in operation.

Figure 20. Labour mechanisms in Belize, El Salvador, Honduras, Guatemala and Mexico



Source: Prepared by the authors.

²⁴ Due to the nature of domestic work, it was not possible to organize a focus group with domestic workers. However, in order to overcome this limitation, in-depth interviews were conducted with these workers.

The TVTF is a mechanism that allows Guatemalan and Belizean nationals to work in Campeche, Chiapas, Tabasco and Quintana Roo; it is valid for one year.

Although TVTF is one of the most widely used programmes in Mexico (Government of Mexico, 2020e), several migrants surveyed for this study commented that they were unable to access this programme due to two barriers: having a written job offer and paying 416 Mexican pesos (approximately USD 20). This difficulty in obtaining the TVTF is related to the fact that 60 per cent of all migrants surveyed reported that they did not have any kind of contract when they started their journey and that one of the main push factors for migrating was unemployment and thus a shortage of financial resources.

Likewise, the available data show that many migrants from Guatemala or Belize, despite having knowledge about the TVTF, do not have clear information about its processing and costs, which may lead them to seek information about this mechanism from unofficial sources, increasing their exposure to deception or scams.

Migrants may find it necessary to migrate in an irregular situation and enter the informal economy because of the lack of mechanisms to facilitate labour migration, the difficulties in implementing existing ones, the high cost or complexity of migration procedures and the lack of information. This makes access to basic services, labour rights and justice difficult. Informality in employment and irregular migration can expose migrant workers to an aggravated and doubled risk.

According to data from the 2020 Southern Border Migration Survey (Emif Sur), the number of migrants from Guatemala who do not use any documents to enter Mexico has increased significantly over a short period of time. In 2019, these migrants represented 11.1 per cent of all migrants, and in 2020, this increased to 42.4 per cent. This change may be partly due to the COVID-19 pandemic, since the border was closed and the cards stopped being issued for several months (IOM, 2021a, p. 50). However, migrants surveyed for Emif Sur reported not choosing this mechanism because the procedure is considered complex.

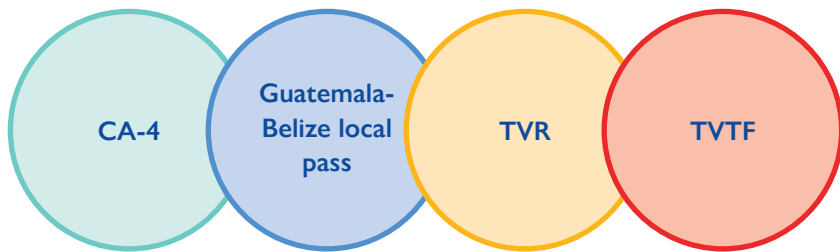
A number of migration instruments or categories were not explicitly created to facilitate labour migration, yet many migrant workers use them for that purpose. For example, people from El Salvador and Honduras commonly use the CA-4²⁵ to work in Guatemala because this mechanism facilitates the mobility of nationals of the signatory countries and allows them to go from one State to another; however, this Convention doesn't include labour provisions (IOM, 2021a, p. 32). Although migrant workers who use these instruments at official points of entry reduce, to some extent, the risks associated with smuggling or human trafficking, they still face the risks of entering informal employment and working in the country of destination in an irregular situation.

²⁵ "The Central American Agreement on Free Mobility (CA-4) was created by a Presidential Agreement signed by the Presidents of El Salvador, Guatemala, Honduras and Nicaragua, with the aim of allowing the intraregional transit of nationals of the signatory countries, without the need to use passports and with expeditious migratory instruments" (SICA, n.d.). Although requirements for the use of the CA-4 are established at a general level, the signatory countries of the Convention establish in their legislation the provisions that allow foreigners to have access to this type of permit.

Another example is the use of the Regional Visitor Card (TVR) granted by Mexico for labour purposes (ILO, 2017b; surveys conducted for this study). Despite allowing nationals from Belize, El Salvador, Guatemala and Honduras to visit the states of Campeche, Chiapas, Tabasco, Quintana Roo and Yucatán for seven days, it does not allow them to work in Mexican territory.

Similarly, respondents from Guatemala reported in the surveys that the local pass, which costs one quetzal (approximately USD 0.13), is a commonly used mechanism for working in Belize. The local pass allows people born in Melchor de Mencos (a border municipality in Guatemala) to enter Belize.

Figure 21. Migration management tools used by migrants for labour migration



Source: Prepared by the authors based on focus groups, surveys and interviews with civil society, academia and governmental actors.

For their part, key informants from the private sector expressed that the biggest challenges in hiring migrant workers are the significant economic and human resource investments related to immigration procedures and the obtaining of work permits as these processes require a considerable amount of time and money. Associations of employers in Belize reported that they constantly face the denial of work permit renewals by government immigration authorities, forcing them to hire and train new staff and start new immigration processes from scratch.

Since some sectors are highly dependent on migrant labour, migratory regularization can benefit employers. Employers could recruit people from abroad and obtain workers without the related economic and human costs. In addition, having access to regularization programmes and processes improves the possibilities for workers to participate in the social and economic life of the country of destination. It can also improve their access to health and social security systems and decent working conditions. Regularization also facilitates better management of labour migration at the national level because it provides information on the number of migrant workers and can adequately guide migration policies and exert control over informal recruitment practices (IOM, 2021c; GCIM, 2005; IOM, 2013b).

RISKS TO MIGRANT WORKERS ASSOCIATED WITH RECRUITMENT

Recruitment is a stage of the labour migration process that can present significant challenges in ensuring the protection of migrants; at times, it can even increase their vulnerability (IOM, 2019e, p. 220). Migrants in vulnerable situations are unable to enjoy their human rights effectively and are at greater risk of violations and abuses (OHCHR and Global Migration Group, 2018).

Many of the risks which migrant workers in Central America and Mexico are exposed to may be caused by the fact that they are often recruited informally and that there are no adequate national regulations or government tools and resources to regulate private recruitment agencies or to sanction employers who abuse migrant workers (IOM, 2019b).

Although these situations are partly due to limited government capacities, regulating the recruitment processes of migrant workers should be a priority, particularly for the signatory countries of the *Global Compact on Migration*. Signatory States, according to Goal 6, committed themselves to “Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work.” In this regard, the region has made significant progress. Nonetheless, as mentioned above, of the countries studied, only Mexico and Honduras have established clear regulations for the operation of private employment agencies. These regulations still have room for improvement, specifically in the supervision and inspection of recruitment agencies and companies, and in the regulation of recruitment practices in economic activities such as agriculture, domestic work and tourism.

The prevalence of informal recruitment processes increases the risk of migrants entering the informal economy (ILO, 2020c) and of them being more exposed to situations of exploitation and forced labour as well as receiving wages below the minimum wage (IOM, 2019b). According to global estimates, exploitation through forced labour takes place mostly in domestic work (24%) and partly in agriculture (11%) (ILO, 2017c). These are two of the main activities in which migrants in the region are usually inserted.

In Guatemala, for example, it has been documented that workers recruited by private contractors to work in agriculture earn up to 25 per cent less than workers recruited directly by companies (Verité, 2017).

The main risks to which migrants are exposed at different stages of the recruitment process are detailed below:

Advertising and dissemination

Most people reported that they heard about job openings through a family member, friend or the internet, according to the surveys and interviews conducted as part of this study. Learning about a job opportunity by unofficial means can lead to a person receiving erroneous or false information and being exposed to deception or scams about the working conditions or the work to be done. In addition, the use of these informal channels may increase the risk of migrant workers being recruited by trafficking groups, migrant traffickers or into other criminal activities.

Selection of the workforce

Most migrants were promised decent working conditions and higher wages than they received, according to the data collected. For example, 18 per cent of the total number of people contacted responded that, among other things, men and women do not sleep separately. In addition, some focus group participants²⁶ reported that they work from 5 a.m. to 6 p.m. and receive a daily wage of 100-200 Mexican pesos (USD 5-10), which is less than what they would earn in Guatemala. In other words, migrants were exposed to false promises about the work environment and the number of hours and days to be worked, which are indicators of labour exploitation (Verité, 2017).

Transport to the country of destination

Migrants recounted the dangers they were exposed to during their migratory journey during focus groups and in-depth interviews conducted for this study. Assault, harassment by authorities and discrimination were mentioned, among other situations. Several respondents also expressed fear of traveling with minors (22% of all respondents traveled with their family members) and being in an irregular migratory condition. Available data indicate that the latter factor significantly increases their vulnerability; furthermore, an IOM study (2019f) highlights that irregular migratory routes lead to the top five locations where migrants may be significantly more vulnerable. In Central America and Mexico, irregular border crossings are commonly used by migrant workers due, in part, to the limited availability of regular channels for labour migration (IOM, 2021a).

In addition, in some recruitment processes in which migrants are recruited in their country of origin to work in agricultural activities (see Figure 12. Recruitment process for migrant workers and Figure 13. Informal recruitment process in the Guatemala-Mexico corridor in Agriculture), identity or travel documents are handed over to contractors to carry out migration proceedings at the border. These actions pose multiple risks, such as the payment of bribes, especially from contractors and intermediaries to government agents at the borders, allowing them to bypass immigration procedures and be able to arrive at the workplace without processing a work permit. Another indicator of coercion that places migrants in a situation of greater vulnerability and significant risk is the retention of documents (ILO, n.d.c.). In this regard, the *Global Compact on Migration* points out that States should take measures to prohibit the retention of identity documents from migrants to prevent abuse, exploitation, child labour, extortion and other situations of dependency that are detrimental to their human rights (Goal 6). This same idea is noted in the *Dhaka Principles for Migration with Dignity* (Principle 4), in the *Inter-American Principles on the Human Rights of All Migrants, Refugees, Stateless Persons and Victims of Human Trafficking* (Principle 4), adopted in 2019, and in the *IRIS Standard* (Principle 2).

²⁶ Migrant agricultural workers working on African palm plantations in Mexico.

Figure 22. Regulations against the retention of migrant workers’ documents

Retention of documents and freedom of movement for migrant workers	Global Compact on Migration	Objective 6
	Dhaka Principles for Migration with Dignity	Principle 4
	Inter-American Principles on the Human Rights of All Migrants, Refugees, Stateless Persons and Victims of Human Trafficking	Principle 4
	International Recruitment Integrity System (IRIS) Standard and Principles	Principle 2

Source: Prepared by the authors.

Another situation faced by migrant workers, and women in particular, in the countries of study, is the payment of fees associated with their employment abroad, as defined in the *General Principles and Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs* of the ILO. In accordance with the *Employer Pays Principle*, and as mentioned throughout this report, no migrant worker should bear the costs associated with their recruitment, as these should be borne in full by the employer (see Figure 10. Types of recruitment fees). The importance of this principle has been recognized by governments participating in the Montreal conference. It was included as recommendation number 2 of the *Montreal Recommendations on Recruitment*, which states that all related recruitment fees should be borne by employers and not by migrant workers.

However, the primary data collected for this study show that migrants, recruited to work in agriculture, domestic work, and tourism, have to bear these costs. In fact, 56.5 per cent of respondents said they had to pay for their food, while 38 per cent said they had to finance their own accommodation during the recruitment process. Also, of the 21 people who said that they were put on a list by the private contractor before starting the trip, 9.5 per cent said that they were charged for this. These costs are a risk factor associated with forced labour, debt bondage and exploitation as many people occasionally resort to large loans to pay for their migration journey (IOM, 2019d; UNODC, 2015). The latter, in turn, can result in migrants being forced to work in abusive conditions or resort to risky jobs to repay debt, thus exacerbating vulnerable situations (ILO, OECD, IOM and UNICEF, 2019, p. 27).

Job placement and working conditions

Regarding migration proceedings that migrant workers must complete to begin employment, it was found that 72 per cent of all migrants surveyed had to pay for these proceedings (work permits, passports or TVTF). When employers cover such costs, which occurs in most cases, the costs are often deducted from salaries. Wage manipulation is also considered an indicator of labour exploitation since the person cannot exercise control and freely use it (ILO, n.d.c.); furthermore, such manipulation of their income can lead to them being forced to accept low wages, demeaning working conditions or abusive practices (UNODC, 2015).

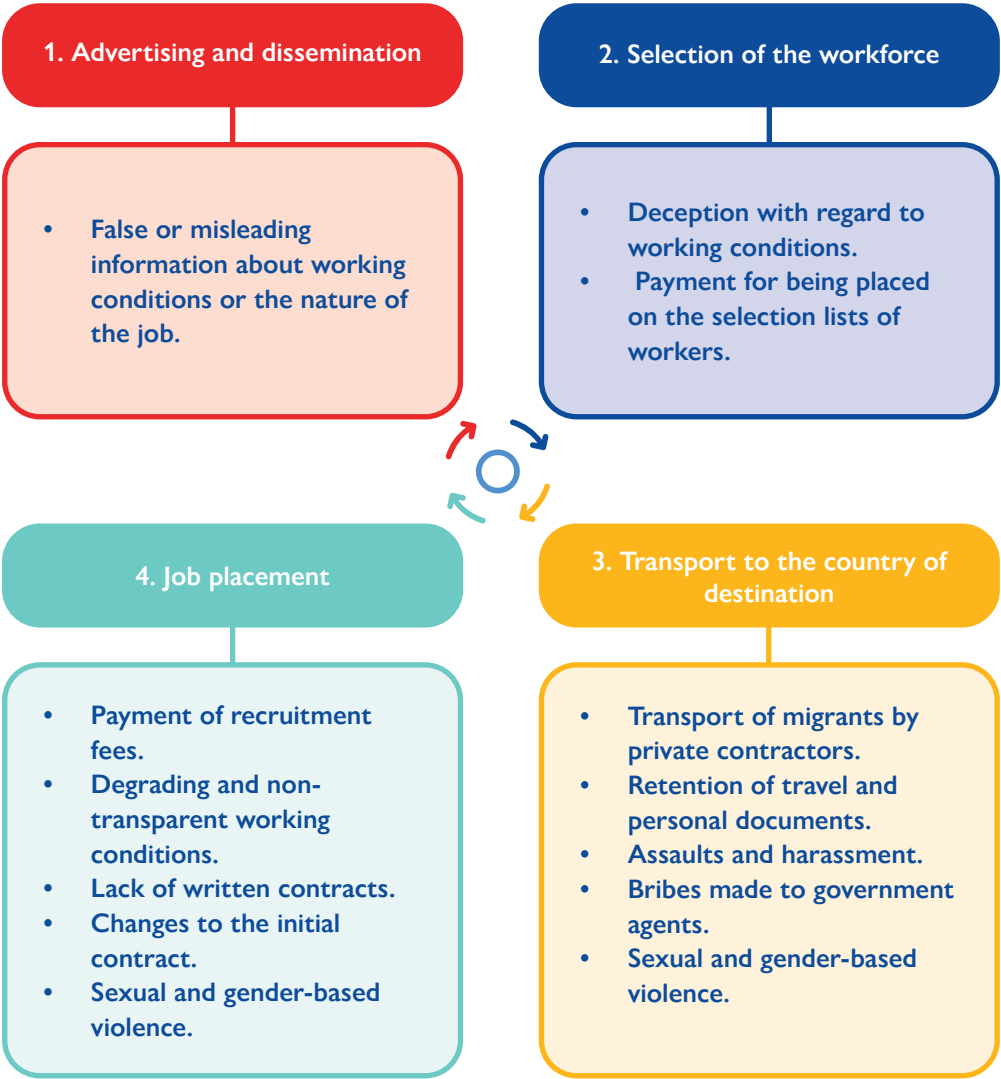
The options for filing a complaint in cases of abuse are also minimal, according to those interviewed. One migrant person mentioned that when he and others complained to the farm owner, the owner came armed and threatened to rape their wives/partners if they did not comply with the work or threatened to not pay them for the time already worked. Likewise, in the focus group with tourism workers, Salvadoran migrants in irregular migratory condition reported that hotel employers in Guatemala frequently ask them to remain silent about their working conditions to avoid complaints to the Guatemalan Migration Institute.

The ILO *Migration for Employment Convention* (No. 97)²⁷ in its Article 5 clearly states that “a copy of the contract of employment shall be delivered to the migrant before departure” and that, if the contract is provided in the migrant’s country of destination, the migrant shall be informed “before departure, by a document which relates either to him individually or to a group of migrants of which he is a member, information concerning the general conditions of life and work applicable to him in the territory of immigration.”

However, out of the total number of surveys conducted, only 43 per cent of people said that they were offered a contract. Of all such contracts, 84 per cent were not made until the migrant workers arrived in the country of destination. In addition, most contracts were verbal (in many cases, the individual contractor is responsible for the contract), and migrants are often given little information about the nature of the work they will be doing and the rights they have as workers in the country of destination. These practices increase the vulnerability of migrant workers and make them prone to deception, changes in the initially offered working conditions and to more severe situations such as human trafficking (ILO, 2020c).

²⁷ Of the countries covered by the study, only Belize and Guatemala have ratified this Convention.

Figure 23. Risks to migrant workers associated with recruitment



Source: Prepared by the authors with data from in-depth interviews with migrant persons and focus groups.

RISKS TO WOMEN MIGRANT WORKERS ASSOCIATED WITH RECRUITMENT

The feminization of migration refers to the fact that more and more women are migrating independently rather than as members of a household and are actively participating in the labour market. This phenomenon has impacted the lives of women and men and the economy of the countries of destination and of origin. It has increased personal, family and national development opportunities, but it also presents challenges for women, girls and adolescents simply because they are women, especially those who migrate under irregular conditions (IOM, 2019b, p. 91).

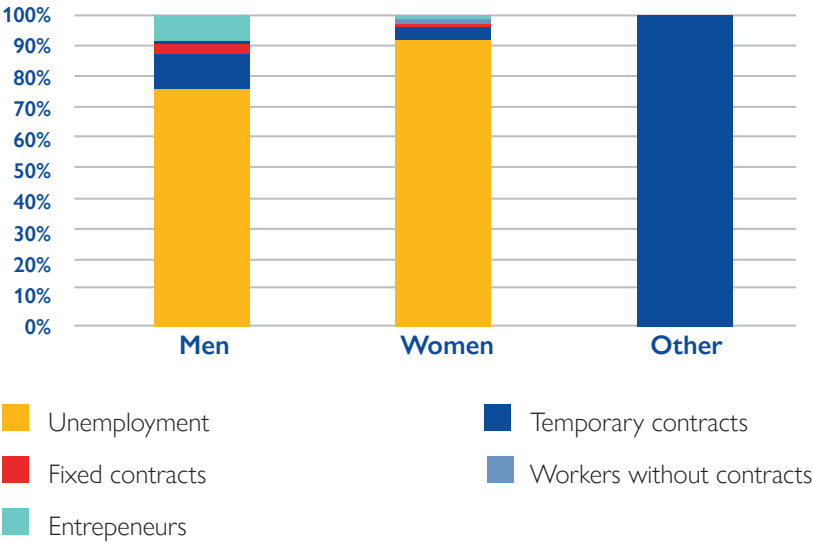
“There is not so much work for women here, or you can get it, like in the municipality, but it is pays bad and the work is very hard.” **Fragment of in-depth interview**

Regarding the motivations of the women migrant workers consulted for this study, the data reflect that 69 per cent of them traveled to search for better job opportunities. This need may be related to the fact that most women migrant workers are also the head of household of their families. It was found that 65 per cent of the female participants in the survey reported that they occupy this role in their family nuclei. In addition, on average, they each had four dependents.

Family reunification was the second most important driver reported by the women migrant workers surveyed (24%). Of this group, the majority (77%) were married or cohabitating with their partners, and 86 per cent had children.

Another driver of migration reported was unemployment, which, while it affects the entire population, has an important impact on women. For example, 94 per cent of the women surveyed and 76 per cent of the men said they were unemployed before starting their job search travels.

Graph 3. Pre-travel employment status of migrant workers²⁸



Source: Prepared by the authors with data from surveys of migrant workers.

Ensuring ethical recruitment of women migrants that mainstreams gender equality in all activities related to this process is crucial, as it contributes to the reduction of discrimination and sexual and gender-based violence in the labour migration process (CREST, 2020b).

According to criterion A.6 of the *IRIS Standard*, as part of ethical recruitment, “The labour recruiter ensures that migrant workers are treated equally throughout the recruitment process and are not discriminated on the basis of race, ethnicity, sex, gender and gender identity, national or social origin, nationality, caste, age, political affiliation, religion, sexual orientation, union membership, physical ability, health, pregnancy, marital or family status or any other status” (IRIS, 2019). Likewise, Article 7 of the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* notes and reaffirms this principle of non-discrimination.

The establishment of ethical recruitment processes and the maximization of economic benefits and development opportunities that the participation of women migrant workers generates in the countries of destination and origin also promotes the reduction of vulnerable situations to which women are exposed. The following is a description of the main situations of risk reported by migrant women according to the stages of the recruitment process:

²⁸ The “other” category in the graphs in this section represents persons who did not identify as either male or female.

Advertising and dissemination

It has been identified that women migrant workers often access information about employment opportunities through acquaintances (ILO, 2021b). In the interviews and surveys conducted, it was found that 91 per cent of women participants learned about their job opportunity in another country through a family member or friend (for men, this percentage was 85). Other women surveyed stated they learned about job opportunities through digital platforms and social media, which may increase their exposure to risky situations due to scams or false information.

Selection of the workforce

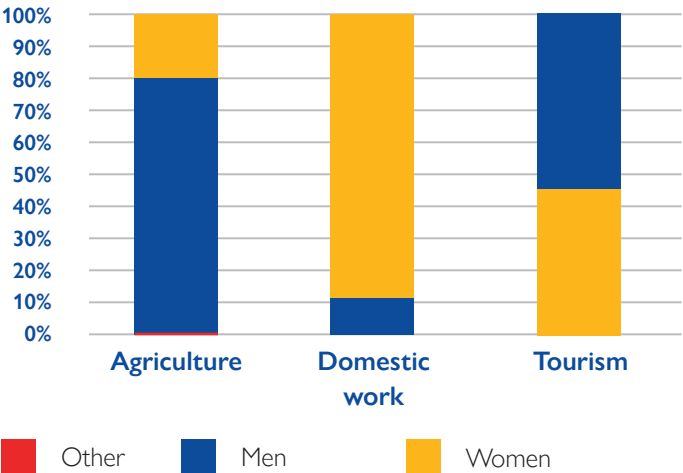
“They always give more preference to hiring men already in the process itself, right? Let’s say, depending on the position, I try to present two men and two women. And I see that there is a strong inclination to hire men and women are always left behind.” **Fragment of semi-structured interview with recruiting agency**

Gender stereotypes and the sexual division of labour may mean that women migrant workers are relegated to specific economic activities associated with domestic service, care and manufacturing (CREST, 2020a and ILO, 2021b). According to ILO estimates, 79.9 per cent of women migrant workers worldwide are employed in the services economic sector; followed by 14.2 per cent who work in industry and 5.9 per cent in agriculture. For men, participation in the services economic sector corresponds to 35.6 per cent. This increased presence of women in the service sector may be linked to the growing demand for women workers in activities related to the care economy (ILO, 2021a). The data from the survey showed that most women participate in domestic work (90 per cent) and that men are mostly in agriculture (80%) (see Graph 4. Percentage of participation in economic activities by sex).

In this regard, people who work in recruiting agencies pointed out that, despite efforts to incorporate zero-tolerance protocols for discrimination based on sex, age, race or nationality in recruitment and placement processes, sometimes the selection of candidates is marked by stereotypes that employers may perceive about the jobs that a woman should or should not perform, which can difficult the access this population has to some formal jobs.

This influences the perpetuation of gender stereotypes and the fact that women migrant workers end up in informal economic activities (CREST, 2020b), which increases the risk of being affected by various forms of exploitation and abuse, including low pay or non-remunerated work (ILO, 2020d, p. 40).

Graph 4. Percentage of participation in economic activities by sex

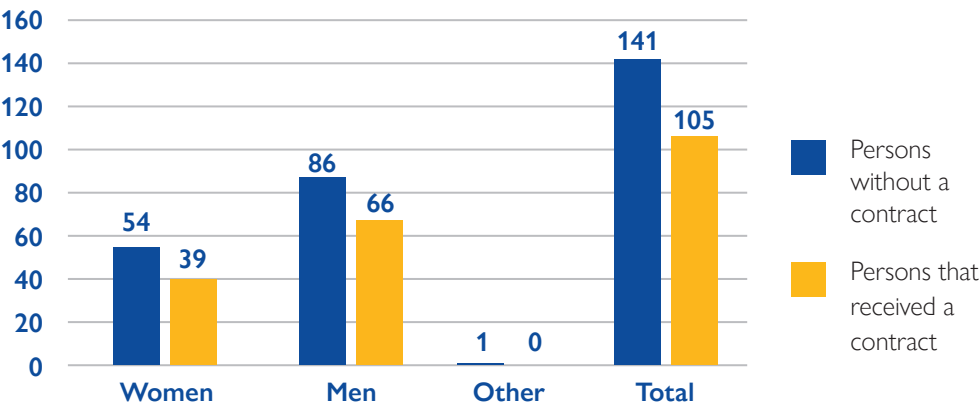


Source: Prepared by the authors with data from surveys of migrant workers.

Transport to the country of destination

Regarding the stage of moving to the country of destination, most women surveyed (85%) reported that the recruitment process was not completed until they were in-country. Concerning this, two factors were identified that increased vulnerable situations for informants during this stage: the costs related to this initial move and the lack of access to a contract as part of their labour rights before moving to the destination country. Of those surveyed, 43 per cent did receive a contract and, of those, 63 per cent were men and 37 per cent were women.

Graph 5. Number of people who received contracts, by sex



Source: Prepared by the authors with data from surveys of migrant workers.

As shown in the graph above, the difference in access to contracts can be due to multiple factors. As part of those factors associated with the characteristics of this population, low schooling and not knowing how to read and write stand out. Of the women who began working without a contract, 17 per cent stated that they could not read and write. This contrasts with males without a contract, of whom only 6 per cent stated that they could not read and write.

Other factors seem to be related to the economic activities in which women migrant workers are inserted. Table 7 shows that men who work mainly in agriculture have a greater possibility of obtaining a written contract, as opposed to those who work in domestic service (a particularly feminized economic activity).

Table 7. Number and types of contracts by economic activity and sex of the worker

Sex and economic activity	Written contracts	Contracts Verbal	Persons without a contract
Female	15	24	54
Agricultural	10	5	12
Domestic work	-	11	20
Tourism	5	8	22
Male	32	34	86
Agricultural	24	27	57
Domestic work	-	-	4
Tourism	8	7	26
Other	-	-	1
Agricultural	-	-	1
Domestic work	-	-	-
Tourism	-	-	-
Grand total	47	58	141

Source: Prepared by the authors with data from surveys of migrant workers.

Job placement and working conditions

Informality in recruitment practices in Belize, Guatemala and Mexico brings about conditions in which workers, and especially women workers, may be prone to deception about the salaries and living conditions offered (ILO, 2021b). According to the in-depth interviews, mainly women migrant workers reported experiencing problems with employers or contractors in complying with previously established agreements.

“The truth is sad, one’s life, with the necessity of working abroad, it’s because they abuse you. They keep you working late, and they do not pay you.” **Fragment of in-depth interview**

Many women, upon arrival at their destination, found that the job or salary did not match what they had initially been offered. In addition, they encountered excessive hours, prohibitions on taking days off, the use of their cell phones as well as humiliating and disrespectful treatment²⁹ (UN Women and Colegio de México, 2015, p. 9). According to recent studies, these situations are more often experienced by women migrant workers, as they earn less money in comparison to men migrant workers, who in turn earn less than non-migrant workers. This wage gap between male and female migrants is greater in some countries, such as Mexico, where women migrant workers earn 22.6 per cent less than their male counterparts (ILO, 2020d, p. 75).

For example, during in-depth interviews, women domestic workers, reported having been victims of abuse, some even mentioned that they were sometimes not paid for their services and that, when they complained about these abuses, they were dismissed.

“(…) you’re up from 5:00 in the morning, and you can’t go to sleep until 9:00 at night. Imagine all those hours a day you work, and they do not pay you what they should pay you.” **Fragment of in-depth interview**

The data collected for this study coincides with previous studies and shows that the different practices and modalities associated with recruitment processes have differentiated consequences and impacts for women migrant workers. In fact, women are at greater risk of suffering violations of their labour rights, ranging from additional recruitment obstacles to salary differentials and abusive situations. Thus, to ensure that women who decide to migrate in search of better living conditions can do so safely, it is imperative to strengthen the implementation of ethical recruitment practices in the region.

²⁹ Women migrant workers reported in the in-depth interviews having been subjected to gender-based violence such as emotional and economic abuse.

RECRUITMENT OF CHILDREN AND ADOLESCENTS

There are 160 million working children and adolescents globally; 8,2 million of them are in Latin America and the Caribbean (ILO and UNICEF, 2020). Many of these working children and adolescents are migrants in an irregular situation and, due to their migratory condition, often have limited access to basic services (Government of Guatemala, IOM and ILO, 2017).

Sometimes these children migrate due to poverty or violence in their home countries, but sometimes they seek family reunification (Factor Capital Humano, 2020). In Belize, Guatemala and Mexico, migrant children are usually employed in economic activities such as agriculture, domestic service and hospitality (IOM, n.d.d., Factor Capital Humano, 2020; Madera, Marín and Hernández, 2016). In fact, according to estimates by the International Labour Organization (ILO) and the United Nations Children's Fund (UNICEF), of the 160 million working children and adolescents, 70 per cent work in agriculture (ILO and UNICEF, 2020).

In Latin America, Mexico has the second highest number of working children in the region (Factor Capital Humano, 2020). By 2015, it was estimated that there were between 279,000 and 326,000 migrant children and adolescents (between 5 and 17 years of age) working in the agricultural sector. On average, these children and adolescents worked six days a week and between eight and 10 hours a day (Infomérides, 2019). In regions such as Chiapas, Central American migrant children and adolescents (especially Guatemalans) have been identified as working in agricultural activities, specifically in the cultivation of tobacco, sugar cane and coffee (Factor Capital Humano, 2020). Additionally, it has been found that when these children and adolescents are accompanied by their families, they sometimes work caring for the home and other family members (Madera, Marín and Hernández, 2016).

In turn, during 2017, in Guatemala, approximately 36.7 per cent of returning children and adolescents undertook their journey to seek work in Mexico and the United States of America. Of this population, 57.4 per cent stated they worked in agriculture in Mexico, in states such as Chiapas and Quintana Roo (Government of Guatemala, IOM and ILO, 2017).

In some cases, these children do not receive direct economic remuneration but work in exchange for housing, food, clothing and education (ILO, 2003). In cases where work is paid, it is estimated that these migrant children can earn 80 Mexican pesos per day (approximately USD 4) despite the minimum wage being 123 Mexican pesos (approximately USD 6) (Factor Capital Humano, 2020).

Regardless of their type of work, child labour can affect the full development of migrant children, especially their education. For example, it is estimated that 20 per cent of children working in agricultural activities drop out of school (FAO, 2015).

Although no surveys or interviews with minors were carried out for this research, the review of secondary sources showed that migrant children and adolescents may also be participants in recruitment processes. Likewise, through the reports collected in the fieldwork, it was possible to confirm that child labour persists despite the efforts of national and international norms to regulate it.

Minimum ages for employment and the prevention of exploitation of children are international commitments under Article 32 of the *Convention on the Rights of the Child*. However, each country has established a minimum working age in accordance with its internal regulations.

Table 8. Regulations and minimum ages for working in the receiving countries of this study

Country	Regulation	Articles	Minimum age to work
Mexico	Constitution of the United Mexican States	123 subparagraph A.II From 173 to 180	16 years old
	General Law on the Rights of Children and Adolescents	31, 39, 47 y 55	
Guatemala	Constitution of the Republic	102 subparagraph A.II	15 years old
	Law on Comprehensive Protection of Children and Adolescents	51, 63, 66, 67, 73, 74, 94 y 95	
	Ministerial Agreement Number 260-2019	Whole document.	
Belize	Labour Act	4, 54, 71, 162, 164, 169, 170, 171, 172, 173, 174, 175 y 176	14 years old
	Families and Children Act	7	
El Salvador	Constitution of the Republic	38, 57, 104, 105, 106, 107 y 108	14 years old
	Family Code	376, 378, 380	
	Law on Comprehensive Protection of Children and Adolescents	2 (b) and (e). 41 and 56 to 64.	

Honduras	Constitution of the Republic	38	14 years old
	Childhood and Adolescence Code	From 114 to 138	

Source: Prepared by the authors.

Only Belize establishes an explicit prohibition on the recruitment of children out of the countries of study. Section 71 of the *Labour Act* states that no child or young person shall be recruited, but the authorities may grant permission to recruit 16-year-olds with the prior consent of their parents or legal guardians.

Nevertheless, the countries of the region have made substantial efforts to protect the rights of children and adolescents, an example of which is the design of the [Route for the Comprehensive Protection of the Rights of Children and Adolescents in a Migratory Situation](#) by the Commission for the Comprehensive Protection of Migrant Children and Adolescents and Applicants for Refugee Status of Mexico, with the assistance of the Executive Secretariat of the National System for the Protection of Children and Adolescents (SIPINNA), UNICEF, IOM and UNHCR. The objective of this Route is to guarantee the rights of children and adolescents in a situation of migration through the coordination of institutions in establishing responsibilities and coordination. Likewise, it states that, in cases of massive migratory flows in the form of caravans, the protection system will be activated with a focus on the rights of children and adolescents and gender (Government of Mexico, n.d.b).

At the international level, a series of international instruments have been generated to protect children and adolescents and eradicate child labour and labour exploitation. Some of them are listed below:

- [International Covenant on Civil and Political Rights](#) (1966): Articles 8 and 24.
- [International Covenant on Economic, Social and Cultural Rights](#) (1966): Articles 10.3 and 12.2.a.
- [Convention on the Rights of the Child](#) (1989): especially Article 32.
- [Minimum Age Convention \(No. 138\)](#) (1973) of the ILO.
- [Worst Forms of Child Labour Convention \(No. 182\)](#) (1999).
- [Alliance 8.7 of the 2030 Agenda for Sustainable Development](#).

In addition to providing a roadmap for governments to address the problems associated with child labour, these instruments establish minimum guidelines for the regulation of work involving minors. In this sense, these international documents contribute to the establishment of the best interests of the child³⁰ as a primary consideration in all State measures relating to children and adolescents.

³⁰ According to the *Convention on the Rights of the Child*, Article 3 states: "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration." Although there is no single definition of the term "best interests", it is understood to refer to the wellbeing of children in a broad sense.

In the case of labour migration, the recruitment process is a key phase in identifying migrant children and adolescents, how they are recruited, hired, and the working conditions in which they find themselves. Moreover, this process has important implications for their protection, in the sense of preventing them from being exploited and their human rights from being violated. To this end, strengthening the national and regional legal framework to prevent and combat child labour is vital. Such legislation should provide for the labour migration of minors, identify them promptly and ensure adequate protection of their human and labour rights.

RECRUITMENT AND WOMEN MIGRANT WORKERS

Gender stereotypes play an important role in the selection of workers, relegating women to economic activities associated with domestic service, care and manufacturing. They also influence working conditions; men are more likely to receive a written contract and receive a higher salary.



MIGRATORY PROCEEDINGS

Migrant workers from El Salvador, Guatemala y Honduras use the following migration management instruments for labour migration in Belize, Guatemala and Mexico: CA-4, TVTF, TVR, local pass in Belize.



RECRUITMENT-RELATED RISKS

The most common risks to migrant workers associated with informal recruitment practices are the dissemination of job vacancies through unofficial means, not having written contracts, deception about working conditions and indebtedness to cover recruitment-related costs.



CHILDREN AND ADOLESCENTS

Despite the efforts made, the countries considered in the study are not exempt from child labour; migrant children and adolescents are mostly involved in agricultural activities; they also work long hours without pay, with wages below the minimum wage, or they receive food, clothing and education in exchange for their work. It has been demonstrated that child labour can influence the development and education of children and adolescents.



CONCLUSIONS

This study allows the expansion of knowledge pertaining to the recruitment practices of migrants from El Salvador, Honduras and Guatemala who work in agriculture, domestic services and tourism in Belize, Guatemala and Mexico. The main conclusions that emerge from the available information are detailed below.

National and international legal framework for the recruitment of migrants

Although the labour codes of Belize, El Salvador, Honduras, Guatemala and Mexico refer to the recruitment of national labour, there are no provisions for the recruitment and hiring of migrants. The only general provision is established in Article 11 of the Labour Code of El Salvador, mentioning the right of foreign persons to have access to jobs in the territory under the same conditions as Salvadoran persons.

Of the countries covered by the study, only Mexico and Honduras have regulations for private employment agencies. In the case of Mexico, it corresponds to the Regulations for Worker Placement Agencies (2006), and in Honduras, the Regulations for the Operation of Private Employment Agencies and Related Services (2015 and 2017). Both establish that the labour ministries must maintain a list of the institutions authorized to provide these services. None of these regulations include the recognition of recruitment-related costs as expenses to be borne by the employer. In addition, the Honduran regulations allow agencies to charge migrant workers for their services.

Concerning the international legal framework on the subject, since 1948, with the creation of the *Employment Service Convention* (No. 88) and its Recommendation (No. 83), a wide range of international conventions, norms and standards associated with the recruitment of migrant workers have been established. Among the most important, the International Recruitment Integrity System (IRIS), the *General Principles and Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs*, the *Montreal Recommendations* and the *Dhaka Principles* provide complementary roadmaps to clarify the obligations of both employers, recruiting agencies or individuals, and migrant workers.

At the regional level, the ratification of these instruments remains a pending challenge. For example, the *Private Employment Agencies Convention* (No. 181) has not been adopted by any government under consideration. These regulations and their adoption are of vital importance for protecting the rights of migrant workers in the region.

Recruitment practices

Recruitment of migrants in the three economic activities studied, at the intraregional level, is primarily informal. Recruitment agencies operating in these countries are mainly engaged in recruiting their nationals to work in-country, in the United States of America or Canada.

In all three economic activities, the main form of job diffusion is through a relative or friend. In agriculture, it is mainly in the country of origin where migrant workers are recruited, especially for the migration corridors El Salvador/Honduras-Guatemala and Guatemala-Mexico, and is done through an intermediary or private contractor hired by the farm owners. In these cases, migrants are often transported to cross-border communities, and the next day, they move to the workplace. For this purpose, they are occasionally put on a list and hand over their documents so that intermediaries or private contractors can manage their migration proceedings to enter the country of destination. In the Guatemala-Belize migration corridor, recruitment occurs mainly in the country of destination; persons cross the border by their own means and apply for jobs in the banana and citrus industry.

Most migrants in domestic work were recruited in the country of destination, directly by the employers. On the other hand, most people who work in the tourism industry were recruited in-country. Most of the workers migrated because of unemployment or insecurity and were recruited through a friend or acquaintance in their country of destination. Also, informants from the private sector of this industry stated that they recruit foreigners, but in the private sphere, in other words, internally within the company through their websites and their human resources departments. They also noted that this type of recruitment is mainly of highly qualified people for senior positions such as managers and executives.

The fact that these recruitment practices are carried out informally affects the guarantee of the human and labour rights of migrant workers. Since they are not carried out through formal channels and following international and national regulations, these forms of recruitment have often been associated with fraudulent and unscrupulous practices such as high recruitment costs, false promises or scams, retention of documents, lack of or substitution of contracts, human trafficking, forced labour and smuggling of migrants, as evidenced throughout this report.

Characterization of migrant workers

The surveyed migrant population has diverse characteristics according to the economic activity in which they work. Men predominate in agriculture; however, there is an underreporting of women working in this activity because they are usually registered as accompanying family members.

Most of the people surveyed in domestic work were women. This coincides with different studies that point out that domestic work is an economic activity mainly carried out by women. In addition, the trend of women from Central America migrating to Mexico to work domestically has been widely reported. In the surveys for this study, the participation of men and women in the tourism industry was very similar, 54 per cent identified as men and 46 per cent as women.

In tourism, most men work in transport, gardening and construction, while the participation of women is more concentrated in food sales, housekeeping and waiting tables.

Another important element is that labour migration is mostly young in all three economic activities; most of the people surveyed are between 20 and 35 years old. Having only a primary education predominates, especially in agriculture and domestic work, in terms of the highest level of education attained. Approximately 3.4 per cent of the people surveyed cannot read or write. Migrants from El Salvador, Honduras and Guatemala who work in tourism in Mexico and Guatemala tend to have a high school education. However, most migrants surveyed in Belize completed only a primary school education.

On the other hand, one of the main drivers of migration reported by the people surveyed is the lack of job opportunities, followed by the lack of security in their countries of origin.

Situations of vulnerability

Despite the existence of a wide range of international norms and standards to guarantee the rights of migrant workers in the recruitment process, their limited ratification and implementation and the informality in which the recruitment of migrants operates contributes to an increase in the risk to which migrants are exposed, especially to exploitation, abuse and human trafficking.

Job advertisements through social media on the internet for the three activities often lead to scams or deception. Similarly, surrendering documentation to a third party to manage their migration and/or labour proceedings can place migrant workers in vulnerable situations, as it can restrict their freedom of movement or be used for identity theft or to force them to carry out activities against their will.

Furthermore, 57 per cent of all respondents did not receive a written contract, which increases the risk of migrants being victims of deception or unfavorable changes in their working conditions.

Migrant workers occasionally resort to large loans to defray all the costs associated with recruitment, exposing them to potential debt, servitude and exploitation. In other cases where employers bear costs that are later deducted from the salaries of migrants, they become vulnerable to manipulation by employers to accept lower salaries, demeaning working conditions, or abusive practices.

Women migrant workers

Women migrant workers are at a particular disadvantage in the recruitment process, for example, concerning salary differences and poor access to labour rights. Of the 246 people surveyed as part of this study, 47 people received a written contract, and of these, only 15 were women. In addition, stereotypes and the sexual division of labour mean that migrant women may only be considered for economic activities associated with domestic service, care and manufacturing. This type of work tends to operate informally or in the private sphere, making it difficult for governments to monitor compliance with the rights of these migrant workers. All of this increases their risk of workplace abuse.

Children and adolescents

The work of children and adolescents in agricultural activities, domestic work and tourism is a persistent practice. There are records of the recruitment of children and adolescents as day laborers, particularly in the case of activities linked to agriculture. It is noteworthy that, of the countries of study, Mexico stands out as the country with the second-highest number of working minors in the region.

Often these tasks take the forms of hazardous child labour by exposing children to dangerous or unhealthy working environments. In addition, work can have implications for the educational development of these children. International instruments have been developed to help States determine the child's best interests as part of the prevention and care of migrant child workers. At the national level, all the countries covered by this study have established minimum ages and guidelines for the work of underage persons, but only Belize has established a prohibition or a guideline for the recruitment of underage persons, which can be considered an area for improvement of the protection of the population of migrant children and adolescents in the region.

Final Considerations

The recruitment process and practices associated with this phase of labour migration in Belize, El Salvador, Guatemala, Honduras and Mexico are complex and involve several formal and informal processes. The ratification, creation and strengthening of governance on this issue are crucial to ensure the protection of migrant workers and the harnessing of the benefits that labour migration can generate for all stakeholders.

Although governments in the region have undertaken training and engagement processes to ensure ethical recruitment, consultations with migrant workers highlighted the need to redouble efforts, primarily to address the high levels of informality and minimize associated risk factors that may increase according to sex, age and economic activity.

RECOMMENDATIONS

This section provides recommendations to address the main challenges identified in the recruitment of migrants in Belize, El Salvador, Guatemala, Honduras and Mexico. IOM, as coordinator of the United Nations Migration Network, considers the revision of these recommendations to be of particular importance, as they seek to meet the objectives of the *Global Compact for Safe, Orderly and Regular Migration*, primarily Objective 6, in which States undertake to facilitate fair and ethical recruitment and to safeguard conditions that ensure decent work.

POLICIES AND REGULATION

Regional:

- Specifically include the issues surrounding recruitment in a cross-cutting and comprehensive manner in the proposed Regional Strategy on Labour Migration to be developed by the Regional Conference on Migration (RCM).
- Promote spaces for dialogue and regional cooperation for the exchange of experiences, challenges and good practices on ethical recruitment through regional forums and platforms, such as the RCM, the [Global Policy Network to Promote Ethical Recruitment](#) and the Council of Ministers of Labour of Central America and the Dominican Republic.

Bilateral:

- Establish coordination between countries of origin and destination to identify informal recruitment practices that put migrants at risk.
- Strengthen and promote formal recruitment and hiring practices.
- Develop labour mechanisms between countries of origin and destination to ensure ethical recruitment and respect for human and labour rights throughout the migration cycle of migrant workers.

National:

- Assess the ratification of international conventions concerning private employment agencies, employment services, and the economic activities considered in this study; especially the *Employment Service Convention* (No. 88), the *Private Employment Agencies Convention* (No. 181) and the *Domestic Workers Convention* (No. 189) of the International Labour Organization.

- Create specific provisions in national regulations on the ethical recruitment of migrant workers that: combat fraud, promote freedom of movement, comply with the employer must pay principle, prohibit the charging of recruitment-related fees, and follow all the principles of the *IRIS Standard*.
- Develop regulations for employment agencies that monitor, centralize and coordinate the operation of recruitment agencies in line with the principles of the International Recruitment Integrity System (IRIS), ILO Convention 181 on Employment Agencies and the ILO General *Principles and Guidelines for Fair Recruitment and Definition of Recruitment Commissions and Related Costs*.
- Update recruitment agency regulations in countries where they already exist and align them with the *IRIS Standard*, the *Montreal Recommendations on Recruitment* and the ILO's *General Principles and Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs*, particularly considering the establishment of a clear definition of the recruitment process, and provisions for the explicit prohibition of the charging of recruitment-related costs to migrant workers.
- Establish inspection and enforcement mechanisms that respond to the *Montreal Recommendations on Recruitment* and review how laws and regulations on recruitment of migrant workers are effectively enforced.
- Identify and analyse the role of intermediaries/recruiters and consider them in public policy proposals aimed at regulating recruitment, requiring employers to conduct due diligence in their supply chains to ensure that recruitment fees have not been charged to workers.
- Include a gender perspective in policies and instruments on recruiting workers and migrant workers in Central America and Mexico.
- Conduct prospective studies on the national demand and supply of the migrant labour force that contribute to decision-making in labour matters.

PROCESSES

In the advertising and dissemination of job vacancies:

- Modernize the employment portals of the ministries of labour to meet the supply and demand needs of the migrant labour force in the country.
- Provide guidance and information to migrants who wish to enter the labour market on the requirements and procedures for regular migratory status through the Information Kiosks supported by IOM, with special attention to those migrants who cannot read or write.

- Disseminate job vacancies in several languages (including indigenous languages) and prioritize the native language of migrant workers following the principles of non-discrimination described above and the Regional Framework Law on Migration with a Human Rights approach.
- Promote campaigns on social media about the risks of fraudulent job offers and the importance of using official means of recruitment.

In the selection of candidates:

- Promote the creation of regulations within private employment agencies to prohibit any discrimination, thus guaranteeing equal opportunities, according to which recruitment must be carried out with dignity, respect, free of harassment or discrimination.
- Train those involved in the candidate selection process to ensure the confidentiality of migrant workers and the protection of their data.
- Promote in the private sector the importance of ensuring that before migrant workers are placed in jobs, they have written contracts in a language they can understand that clearly state the terms and conditions of the work they will be doing.

During transportation to the country of destination:

- Establish fines for intermediaries or employment agencies that charge recruitment fees to migrants.
- Provide information to migrants on recruitment-related costs.

Job placement:

- Establish regular inspections of the conditions under which migrant workers work so that they are consistent with what was advertised at the time of the employment offer.
- Ensure that recruitment practices consider and promote respect for the freedom of movement of migrant workers.
- Consider, on the private sector side, guidelines for employers and businesses to enhance the protection of migrant workers during the COVID-19 pandemic.

INSTITUTIONAL PRACTICES

- Strengthen government employment services to consolidate themselves as the preferred centres of assistance for employers and workers in the recruitment of migrant workers. For example, by including online job counselors such as those of the Ministry of Labour and Social Security.

- Simplify the requirements and processes for obtaining documents to work in agriculture, domestic service and tourism, following the commitments made in the *Global Compact for Safe, Orderly and Regular Migration*, especially concerning Objectives 5 and 7 on the expansion and simplification of regular migration channels.
- Create public-private partnerships to facilitate ethical recruitment by digitizing migration processes.
- To increase the number of personnel in charge of carrying out labour inspections at the national level, together with ongoing training in identifying and assisting persons in vulnerable situations.
- Promote the registration of private employment agencies with ministries of labour to establish guidelines on ethical recruitment.
- Periodically train government representatives and border officials to identify informal recruitment practices.

PROMOTION AND AWARENESS-RAISING

- Generate research about recruitment practices of migrants in other economic activities and the impacts that these practices generate in the economies of the countries of origin and destination.
- Document recruitment practices of migrant women and children in all sectors of the economy and their relationship to human trafficking, forced labour and labour exploitation.
- Promote awareness-raising campaigns on the importance of reducing the wage gap between national and migrant workers and, in particular, women migrant workers.
- Raise awareness among migrant workers regarding the duty of intermediaries and contractors to respect their travel documents, wages or personal belongings and not to have them retained, destroyed or confiscated.
- Ensure an explicit prohibition on recruiting underage persons and establish penalties for those who fail to comply with this prohibition.
- Continue to increase the capacity of migrants to recognize false information and job offers related to human trafficking and the smuggling of migrants through information campaigns such as “*Piénsalo 2 veces*”.
- Systematize good practices of ethical recruitment of migrants to share experiences and lessons learned in Central America and Mexico.
- Encourage governments to join the [Global Policy Network to Promote Ethical Recruitment](#) and jointly address challenges, including informal recruitment practices.

- Promote awareness-raising campaigns for national and foreign employers and workers concerning their labour rights at work and in the process of labour migration.
- Develop informational material on ethical recruitment for the employers.

BIBLIOGRAPHY*

Association of Domestic, Home and Maquila Workers (ATRAHDOM)

n.d. *Situation of female domestic, maquila and rural workers in Guatemala*. Available at: www.tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/GTM/INT_CCPR_CSS_GTM_30245_S.pdf (in Spanish).

Center for Global Development

2020 *Migrant Workers in the Tourism Industry: How Has COVID-19 Affected Them, and What Does the Future Hold?* CDD Policy Paper 173. May 2020. Available at: www.cgdev.org/sites/default/files/migrant-workers-tourism-industry-how-has-covid-19-affected-them-and-what-does-future.pdf.

Central American Integration System (SICA)

n.d. The Central American Free Mobility Agreement (CA-4). Available at: www.sica.int/ocam/ca4 (in Spanish).

Central American Tourism Council (CCT)

n.d. Guide to investing in the Central American tourism sector. Available at: www.sica.int/busqueda/busqueda_archivo.aspx?Archivo=odoc_2588_2_29082005.htm (in Spanish).

Centro de Derechos del Migrante, Inc. (CDM) and Contratados

2019 *Fake jobs for sale: analyzing fraud and advancing transparency in U.S. job recruitment*. Available at: www.cdmigrante.org/wp-content/uploads/2019/04/Trabajos-Falsos-a-la-Venta-Informe.pdf (in Spanish).

Colegio de la Frontera Norte (COLEF)

2020 *Mexico's Southern Border Migration Survey. Annual Results Report 2019*. Available at: www.colef.mx/emif/datasets/informes/sur/2019/Emif%20Sur%20Informe%20Anual%202019.pdf (in Spanish).

*At the time of the publication of this report all the hyperlinks were working.

Colegio de la Frontera Sur (ECOSUR) and Centro de Estudios Gilberto Bosques (CEIGB)

2019 *Southern Border Realities*. Available at: www.ecosur.mx/wp-content/uploads/2019/09/Compendio_ECOSUR.pdf (in Spanish).

Coria, M.

2018 *Comparative analysis of Guatemalan female immigration in the border region of Chiapas and in Quintana Roo, 2015 - 2018*. Available at: www.colef.mx/posgrado/wp-content/uploads/2018/10/TESIS-Coria-Ortega-Mar%C3%ADa-Azucena.pdf (in Spanish).

Corporate Responsibility in Eliminating Slavery and Trafficking (CREST)

2020a *Addressing women migrant worker vulnerabilities in international supply chain*. Available at: www.crest.iom.int/addressing-women-migrant-worker-vulnerabilities-international-supply-chain#:~:text=The%20brief%20%22Addressing%20women%20migrant,migrant%20workers%20in%20international%20supply.

2020b *Gender-specific risks and vulnerabilities in supply chains*. Available at: www.crest.iom.int/sites/crest/files/document/1-pager_gender_brief_final.pdf.

Diario de Centro América

2019 *Tourism generates important contribution to the economy*. Available at: www.dca.gob.gt/noticias-guatemala-diario-centro-america/promoveran-la-gastronomia-en-la-industria-turistica/ (in Spanish).

Economic Commission for Latin America and the Caribbean (ECLAC)

2019 *Development and migration. Challenges and opportunities in the northern countries of Central America*. Available at: www.repositorio.cepal.org/bitstream/handle/11362/44649/1/S1000454_es.pdf (in Spanish).

2020 *Inequality, care crisis and migration of paid domestic work in Latin America*. Available at: www.cepal.org/sites/default/files/publication/files/46537/S2000799_es.pdf (in Spanish).

El Economista

2019 *Global and national coffee environment (I)*. Available at: www.eleconomista.com.mx/opinion/Entorno-mundial-y-nacional-del-cafe-I-20190916-0037.html (in Spanish).

Factor Capital Humano

2020 *From Suchiate to Bravo, the route of migrant child labour exploitation in Mexico*. Available at: www.factorcapitalhumano.com/leyes-y-gobierno/del-suchiate-al-bravo-ruta-de-la-explotacion-laboral-infantil-migrante-en-mexico/2020/02/ (in Spanish).

Food and Agriculture Organization of the United Nations (FAO)

2015 *New guide to prevent child labour in agriculture*. Available at: www.fao.org/americas/noticias/ver/es/c/294065/ (in Spanish).

Global Commission on International Migration (GCIM)

2005 *Global Migration Perspectives*. No. 33. Regularization programmes: an effective instrument of migration policy?

Global Migration Data Portal

2021 Data. Available at: www.migrationdataportal.org/data?i=stock_abs_&t=2020.

Government of Belize

2000 *Labour Act. Revised Edition*. Available at: www.belizelaw.org/web/lawadmin/PDF%20files/cap297.pdf.

2020 *Belize Labour force survey. Report. September 2020*. Available at: www.sib.org.bz/wp-content/uploads/LFS_Report_2020-09.pdf.

n.d. Infographics. Statistics about Belize. Available at: www.sib.org.bz/infographics/.

Government of Mexico

2006 *Worker Placement Agencies Regulations*. Available at: www.diputados.gob.mx/LeyesBiblio/regla/n261.pdf (in Spanish).

2015 *Intercensal Survey 2015*. INEGI. Available at: www.inegi.org.mx/programas/intercensal/2015/ (in Spanish).

2019a *National Agricultural Survey (ENA) 2019*. INEGI. Available at: www.inegi.org.mx/programas/ena/2019/ (in Spanish).

2019b *Quarterly Indicators October-December 2020*. EMIF South. Available at: www.colef.mx/emif/datasets/indicadores/Emif%20Sur%20Indicadores%20Trimestrales%20Octubre-Diciembre%202020.pdf. (in Spanish).

2020a Press release. Statistics on the occasion of the International Day of Domestic Work (22 July). National data. INEGI. Available at: www.inegi.org.mx/contenidos/saladeprensa/aproposito/2020/EAP_Trabdom2020.docx. (in Spanish).

2020b *Synthesis 2019. Migration Statistics. Migration Policy, Registration and Identity of Persons Unit*. Available at: www.portales.segob.gob.mx/work/models/PoliticaMigratoria/CEM/Estadisticas/Sintesis_Graficas/Sintesis_2019.pdf (in Spanish).

- 2020c *Situation of the agricultural sector in Mexico*. Cámara de diputados and Centro de Estudios para el Desarrollo Rural y la Soberanía Alimentaria. Available at: www.cedrssa.gob.mx/files/b/13/22Situacion_Sector_Agropecuario_Me%CC%81xico.pdf (in Spanish).
- 2020d *Statistical Compendium of Tourism in Mexico*. DATATUR. Available at: www.datatur.sectur.gob.mx/SitePages/CompendioEstadistico.aspx (in Spanish).
- 2020e *Monthly Bulletin of MIGRATION STATISTICS 2020*. UPMRI. Available at: www.politicamigratoria.gob.mx/work/models/PoliticaMigratoria/CEM/Estadisticas/Boletines_Estadisticos/2020/Boletin_2020.pdf (in Spanish).
- 2020f *National Child Labour Survey (ENTI) 2019*. Available at: www.inegi.org.mx/contenidos/programas/enti/2019/doc/enti_2019_presentacion_resultados.pdf (in Spanish).
- 2021a *Sugarcane, an important crop for Mexico*. Ministry of Agriculture and Rural Development. Available at: www.gob.mx/agricultura/articulos/cana-de-azucar-un-cultivo-de-importancia-para-mexico?idiom=es (in Spanish).
- 2021b *National Occupation and Employment Survey*. INEGI. Available at: www.inegi.org.mx/programas/enoe/15ymas/ (in Spanish).
- n.d.a. *International Day of Domestic Workers March 30*. CONAPRED. Available at: www.conapred.org.mx/userfiles/files/DI_TdelHogar_INACC.pdf (in Spanish).
- n.d.b. *Route for the comprehensive protection of the rights of children and adolescents in situations of migration. National System for the Comprehensive Protection of Children and Adolescents*. Available at: www.gob.mx/cms/uploads/attachment/file/577003/Ruta_version_final_editada_definitiva_II__1_.pdf (in Spanish).
- n.d.b. *Border worker visitor's card*. Accessed June 29. Available at: www.gob.mx/tramites/ficha/tarjeta-de-visitante-trabajador-fronterizo/INM275 (in Spanish).

Government of the Republic of El Salvador

- 2010 *Labour Code of the Republic of El Salvador*. Available at: www.ilo.org/dyn/travail/docs/1737/Cod_Trab_ElSalv.pdf (in Spanish).

Government of the Republic of Guatemala

- 1995 *Labour Code*. Available at: www.ilo.org/dyn/natlex/docs/WEBTEXT/29402/73185/S95GTM01.htm (in Spanish).
- 2016 *Achievements 2016 - 2019*. Guatemalan Tourism Institute (INGUAT). Available at: www.inguat.gob.gt/gestion-turistica/planes-de-desarrollo-turistico/category/70-logros-2016-2019 (in Spanish).

- 2018 *Guatemala National Employment and Income Survey 2018*. Available at: www.ine.gob.gt/sistema/uploads/2019/07/05/publicacion_ENEI_2_2018.pdf. (in Spanish).
- 2020 *Annual Tourism Statistical Bulletin 2020*. Guatemalan Institute of Tourism. Available at: www.inguat.gob.gt/informacion-estadistica/estadisticas/category/82-boletines-2020?download=573:estadisticas-turismo-anual-2020 (in Spanish).
- 2021 *Institutional Strategic Plan 2021 - 2026*. Ministry of Agriculture, Livestock and Food. Available at: www.maga.gob.gt/download/pei21.pdf (in Spanish).
- n.d. *Description of the sector*. Guatemalan Institute of Tourism. Available at: www.inguat.gob.gt/gestion-turistica/descripcion-del-sector (in Spanish).

Government of the Republic of Guatemala, International Organization for Migration (IOM) and International Labour Organization (ILO)

- 2017 *Migration and child labour*. Available at: www.mic.iom.int/webntmi/descargas/informes2017/Migraci%C3%B3n_y_Trabajo_Infantil_GT2017.pdf. (in Spanish).

Government of the Republic of Honduras

- 1959 *Labor Code and its amendments*. Available at: www.ilo.org/dyn/natlex/docs/WEBTEXT/29076/64849/S59HND01.htm (in Spanish).
- 2008 *Regulations for the recruitment and hiring of Honduran workers abroad*. Agreement No. STSS-252-08. Available at: www.programamesocaribe.iom.int/sites/default/files/doc_reclutamiento02_acuerdo_no._252-2008_reglamento_para_trabajo_en_el_extranjero.pdf (in Spanish).
- 2017 *Regulations for the operation of Private Employment Agencies, Related Services and its amendments*. Available at: www.programamesocaribe.iom.int/sites/default/files/doc_reclutamiento09_reglamento_aep_5x7_op_7462_final_h.pdf (in Spanish).

Informérides

- 2019 *On the occasion of the world day against child labour. Child labour in Mexico*. Available at: www.inee.edu.mx/wp-content/uploads/2019/01/Info_trabajoinfantil.pdf (in Spanish).

Institute for Human Rights and Business

- n.d.a. The GFRR. Available at: www.ihrb.org/employerpays/global-forum-for-responsible-recruitment?utm_source=ilo&utm_medium=SugarCRM_ISTS&utm_campaign=SPGT%20Global%20Forum%20Responsible%20Recruitment.
- n.d.b. The employer pays principle. Available at: www.ihrb.org/uploads/news-uploads/Employer_Pays_Principle_-_Leadership_Group_for_Responsible_Recruitment_updated2.pdf.

n.d.c. Fees and IDs: Tackling recruitment fees and confiscation of workers' Passports. Available at: www.ihrb.org/pdf/2013-09-06_IHRB_Fees-and-IDs-Report.pdf.

Inter-American Development Bank (IDB)

2017 *Analysis of Agricultural Policies in Belize*. Available at: www.publications.iadb.org/publications/english/document/Analysis-of-Agricultural-Policies-in-Belize.pdf.

Inter-American Development Bank (IDB), World Association of Public Employment Services (WAPES) and Organization for Economic Co-operation and Development (OECD)

2016 *The World of Public Employment Services*. Available at: www.publications.iadb.org/en/world-public-employment-services.

International Labour Organization (ILO)

1958 *Plantations Convention (number 110)*. Available at: www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312255.

1999 *Report III (Part 1B). General Survey on Migrant Workers. Chapter 3*. Available at: www.ilo.org/public/english/standards/relm/ilc/ilc87/r3-1b.htm.

2003 *Study of conditions and environment of child labour in agriculture: coffee, Costa Rica*. Available at: www.white.lim.ilo.org/ipecc/documentos/cafe.pdf. (in Spanish).

2012 *Migrant workers in the international hotel industry*. Available at: www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/publication/wcms_180596.pdf.

2015 *Regulating labor recruitment to prevent human trafficking and to foster fair migration: models, challenges and opportunities*. Available at: www.ilo.org/wcmsp5/groups/public/---ed_norm/--declaration/documents/publication/wcms_377813.pdf.

2016 *Decent work for migrant domestic workers: moving the agenda forward*. Available at: www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_535596.pdf.

2017a *Tourism at a glance*. Available at: www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/publication/wcms_544242.pdf. (in Spanish).

2017b *Comparative analysis of the legal framework for hiring Guatemalan migrant workers in Mexico*. Available at: www.politicamigratoria.segob.gob.mx/work/models/PoliticaMigratoria/archivosBibliotecaDigital/4593/DRL04593.PDF. (In Spanish)

2017c *Global estimates on modern slavery: Forced labour and forced marriage*. Available at: www.ilo.org/global/publications/books/WCMS_575479/lang--en/index.htm.

- 2018a ILO/EU REFRAME Project. Available at: www.ilo.org/global/topics/labour-migration/publications/WCMS_616739/lang--en/index.htm.
- 2018b *ILO global estimates on male and women migrant workers*. Available at: www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_652030.pdf. (in Spanish).
- 2019 *Principles and practical guidelines on fair recruitment and the definition of recruitment fees and related costs*. Available at: www.ilo.org/global/topics/fair-recruitment/WCMS_568731/lang--es/index.htm.
- 2020a *Definition of recruitment fees and related costs*. Available at: www.ilo.org/global/topics/fair-recruitment/videos/WCMS_743685/lang--en/index.htm.
- 2020b *The impact of COVID-19 on the tourism sector*. Available at: www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/briefingnote/wcms_748876.pdf. (in Spanish).
- 2020c *Study on the recruitment and placement of migrant fishers from Indonesia*. Available at: www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms_752111.pdf.
- 2020d *The migrant pay gap: Understanding wage differences between migrants and nationals*. Available at: www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_763803.pdf.
- 2020e *Module on procurement costs in EMIF South and testing of SDG indicator 10.7.1. Results report*. Available at: www.ilo.org/americas/publicaciones/WCMS_763482/lang--es/index.htm (in Spanish).
- 2020f *Regional study on defining recruitment fees and related costs: The Americas*. Available at: www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_744521.pdf.
- 2021a *ILO Global Estimates on Migrant Workers - Results and Methodology*. Available at: www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_808941.pdf. (in Spanish).
- 2021b *Central American migrant women in Mexico: informality in hiring and employment*. Available at: www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_768856.pdf (in Spanish).
- 2021c *World Employment and Social Outlook: Trends 2021*. Available at: www.ilo.org/global/research/global-reports/weso/2021/WCMS_795453/lang--en/index.htm.

2021d *Making domestic work decent work Progress and prospects a decade after the adoption of the Domestic Workers Convention, 2011 (No. 189)*. Available at: www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_802556.pdf. (in Spanish).

n.d.a. Domestic workers. Available at: www.ilo.org/global/topics/care-economy/domestic-workers/lang--en/index.htm.

n.d.b. *Good Fair Recruitment Practices CIERTO Ethical Recruitment Process*. Available at: www.ciertoglobal.org/wp-content/uploads/2020/12/10_Practicas_Esp_digital.pdf. (in Spanish).

n.d.c. Details of indicator for labour exploitation. Available at: www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_105035.pdf.

n.d.d. *Measuring underemployment*. Available at: www.ilo.org/public/spanish/bureau/stat/download/16thicls/report1.pdf. (in Spanish).

n.d.e. Labour migration. Available at: www.ilo.org/global/topics/dw4sd/themes/migration/lang--en/index.htm.

International Labour Organization (ILO) and United Nations Children and Adolescents Fund (UNICEF)

2020 *Executive summary. Child Labour. Global estimates 2020, trends and the road forward*. Available at: www.ilo.org/ipecc/Informationresources/WCMS_800278/lang--en/index.htm.

International Labour Organization (ILO), Organization for Economic Co-operation and Development (OECD), International Organization for Migration (IOM) and United Nations Children's Fund (UNICEF)

2019 *Ending child labour, forced labour and human trafficking in global supply chains*. Available at: www.ilo.org/ipecc/Informationresources/WCMS_716930/lang--en/index.htm.

International Organization for Migration (IOM)

2013a *Diagnostic on Belizean Migration Trends and Migration Management Regulation*. Available at: www.caribbeanmigration.org/sites/default/files/repository/diagnostic_on_belizean_migration_trends_migration_management_regulations.pdf.

2013b *The experience of South American countries in migration regularization*.

2016 *Standing committee on programmes and finance. Nineteenth Session. Promoting the ethical recruitment of migrant workers*. Available at: www.128.199.179.223/iom/sites/default/files/2019-01/S-19-5-%20-%20Promoting%20the%20ethical%20recruitment%20of%20migrant%20workers.pdf.

- 2017 *The public-private partnership in the fight against human trafficking*. Available at: www.osce.org/files/f/documents/9/3/336236.pdf.
- 2018a *Beyond Numbers: DTM Migrant Caravans*. Available at: www.mic.iom.int/webntmi/masalladelascifras/ (in Spanish).
- 2018b *Data Bulletin. Informing the implementation of the Global Compact for Migration*. Available at: www.publications.iom.int/system/files/pdf/issue_09_recruitment_final.pdf.
- 2019a *Socio-labor study of foreign persons and their families. Municipalities of La Unión, Pasaquina and Santa Rosa de Lima. July - September 2019*. Available at: www.programamesoamerica.iom.int/sites/default/files/estudio_sociolaboral_poblacion_migrante.pdf (in Spanish).
- 2019b *IOM Glossary on Migration*. Available at: www.iom.int/glossary-migration-2019.
- 2019c *IOM launches the International Recruitment Integrity System (IRIS) in Bangladesh*. Available at: www.iom.int/es/news/la-oim-lanza-el-sistema-internacional-de-integridad-en-el-reclutamiento-iris-en-bangladesh (in Spanish).
- 2019d *Can data help improve migrant domestic workers' lives?* Available at: www.migrationdataportal.org/blog/can-data-help-improve-migrant-domestic-workers-lives.
- 2019e *Migrants and their vulnerability to human trafficking, modern slavery and forced labour*. Available at: www.crest.iom.int/sites/crest/files/document/migrants_and_their_vulnerability.pdf.
- 2019f *IOM Handbook on Protection and Assistance to Migrants Vulnerable to Violence, Exploitation and Abuse*. Available at: www.publications.iom.int/system/files/pdf/avm_handbook.pdf.
- 2019g *Labor migration. A case study of Guatemalan youth in Mexico*. Available at: www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_763867.pdf (in Spanish).
- 2019h *Theory of Change. Working Together to End Migrant Worker Exploitation in Business Operations and Supply Chains. Vietnam, Corporate Responsibility in Eliminating Slavery and Trafficking Initiative (CREST)*. Available at: www.crest.iom.int/sites/default/files/document/iom2019_crest_theory_of_change.pdf.
- 2020a *IOM Launches Global Policy Network to Promote Ethical Recruitment*. Available at: www.iom.int/news/iom-launches-global-policy-network-promote-ethical-recruitment.
- 2020b *COVID-19 places migrant workers in highly vulnerable situations*. Available at: www.crest.iom.int/news/covid-19-places-migrant-workers-highly-vulnerable-situations%C2%A0.
- 2020c *Webinar: Migration and Child Labour*. Available at: www.youtube.com/watch?v=92EZvuZMSSs&t=47s (in Spanish).

- 2020d *Basic Handbook for Hiring Migrants in Mexico*. Available at: www.publications.iom.int/books/manual-basico-para-contratar-personas-migrantes-en-mexico (in Spanish).
- 2020e *Guidelines for labor recruiters on ethical recruitment, decent work and access to remedy for migrant domestic workers*. Available at: www.publications.iom.int/books/guidelines-labour-recruiters-ethical-recruitment-decent-work-and-access-remedy-migrant.
- 2020f *World Migration Report 2020*. Available at: www.publications.iom.int/system/files/pdf/wmr_2020.pdf.
- 2020g *Effects of COVID-19 on Migrants Main Findings*. Available at: www.kmhuhub.iom.int/sites/default/files/publicaciones/surveyeffects_of_covid-19_june_2020_final.pdf.
- 2020h *Mapping of labour migration recruitment practices in Bangladesh*. Available at: www.crest.iom.int/sites/crest/files/document/report_mapping_of_recruitment_practices_in_bangladesh_iom_jan_2020.pdf.
- 2020i *Montreal Recommendations on Recruitment: A Roadmap to Encourage Better Regulation*. Available at: www.publications.iom.int/es/node/2406.
- 2021a *Mechanisms on labor migration in Mesoamerica*. Available at: www.publications.iom.int/books/mecanismos-sobre-migracion-laboral-en-mesoamerica (in Spanish).
- 2021b *What is ethical recruitment?* Available at: www.youtube.com/watch?v=Pcs3QSakBog. (in Spanish).
- 2021c *Regional study: Migration regularization programs and processes*. San José, Costa Rica: IOM. (in Spanish).
- n.d.a. Global Policy Network to promote ethical recruitment. Available at: www.ihrb.org/uploads/responsible-recruitment/Policy_Network-Infosheet-Final.pdf.
- n.d.b. COVID-19 Mobility Impacts. Available at: www.migration.iom.int/countries/belize.
- n.d.c. *COVID-19 Analytical Snapshot #41: Implications for tourism Understanding the migration & mobility implications of COVID-19*. Available at: www.iom.int/sites/default/files/documents/covid-19_analytical_snapshot_41_-_implications_for_tourism.pdf.
- n.d.d. *Coco child labour and migrant children (no spoilers)*. Available at: www.rosanjose.iom.int/site/es/blog/coco-el-trabajo-infantil-y-la-ninez-migrante-sin-spoilers. (in Spanish).

International Organization for Migration (IOM), International Labour Organization (ILO), Government of Mexico and Colegio de la Frontera Norte (COLEF)

2020 *Guatemalan Temporary Workers in Chiapas, Mexico. A diagnosis based on documentation to perform remunerated activities.* Available at: www.mexico.iom.int/sites/mexico/files/documents/Diagno%CC%81stico%20a%20partir%20de%20la%20documentacio%CC%81n%20para%20desempen%CC%83ar%20actividades%20remuneradas%20OIM%20UPM%20COLEF%20OIT_%20-%2020210128%20a%20WEB.pdf (in Spanish).

International Organization for Migration (IOM), International Labour Organization (ILO), Central American Integration System (SICA) and the Government of Belize.

2012 *Intraregional Labour Migration Flows: Current situation, challenges and opportunities in Central America and the Dominican Republic. Belize report.* Available at: www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sro-san_jose/documents/publication/wcms_230313.pdf.

International Organization for Migration (IOM) and International Labour Organization (ILO)

2019a *Labor Market Information Systems in Mexico, Guatemala, El Salvador, and Honduras: Toward Greater Integration of Labor Migration. Mexico Report.* Available at: www.kmhub.iom.int/sites/default/files/publicaciones/informe_mexico_final.pdf (in Spanish).

2019b *Labor Migration. A case study of Guatemalan youth in Mexico.* Available at: www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_763867.pdf (in Spanish).

International Recruitment Integrity System (IRIS)

2019 *IOM Ethical Recruitment Initiative: IRIS - Integrity in Recruitment System.* Available at: www.programamesoamerica.iom.int/sites/default/files/ficha_2_iris_digital.pdf (in Spanish).

2020a *COVID-19: Guidance document for employers and businesses to improve the protection of migrant workers during the current health crisis.* Available at: www.iris.iom.int/sites/iris/files/documents/IOM-COVID19_Employers-Guide_V2_Sp.pdf. (in Spanish).

2020b *Promoting safe and orderly labour migration and the rights of migrant workers in global supply chains.* Available at: www.iris.iom.int/sites/iris/files/documents/Info%20Sheet-Supply%20Chains-Final.pdf.

n.d.a. *International recruitment integrity system.* Available at: www.ohchr.org/Documents/Issues/SRMigrants/ConsultationRecruitment/IRISBrochureMarch5th2014.pdf.

n.d.b. *Forced labor, ethical recruitment, and government and corporate accountability.* Available at: www.programamesoamerica.iom.int/sites/default/files/ficha_1_iris_digital.pdf (in Spanish).

Madera, J., J. Marín and D. Hernández

2016 *Migrant child labor in tobacco and sugarcane crops in Nayarit, Mexico*. Available at: www.redalyc.org/journal/153/15351156005/html/. (in Spanish).

National Institute for the Evaluation of Education

2019 On the occasion of the world day against child labour. Child labour in Mexico. Available at: www.inee.edu.mx/wp-content/uploads/2019/01/Info_trabajoinfantil.pdf (in Spanish).

Nájera, J.

2020 *Mexico-Guatemala cross-border labour market: a construction from the workers' experience*. *Border Studies*, 21, e055. Available at: doi.org/10.21670/ref.2013055 (in Spanish).

National Statistics Institute (INE)

2018 *National Survey of Employment and Income 2-2018*. Available at: www.ine.gob.gt/sistema/uploads/2019/07/05/publicacion_ENEI_2_2018.pdf (in Spanish).

Navarrete, J., and J., Stein

2018 *Labour migration*. Available at: www.librosoa.unam.mx/handle/123456789/1569 (in Spanish).

Sáenz, E.

2013 *Some lessons from Guatemalan refugees: 1980-1996*. XIV Jornadas Interescuelas/Departamentos de Historia. Department of History of the Faculty of Philosophy and Language. Universidad Nacional de Cuyo, Mendoza. Available at: www.cdsa.academica.org/000-010/960.pdf. (in Spanish).

Solano, A., and W. Ochoa

2019 Agriculture and food security. In E. J. Castellanos, A. Paiz-Estévez, J. Escribá, M. Rosales-Alconero, & A. Santizo (Eds.), *Primer reporte de evaluación del conocimiento sobre cambio climático en Guatemala*. (pp. 108-141). Guatemala: Editorial Universitaria UVG. Available at: www.sgccc.org.gt/wp-content/uploads/2019/06/1erRepCCGuaCap6.pdf. (in Spanish).

Statistical Institute of Belize (SIB)

2019 *Abstract of Statistics 2019*. Available at: www.sib.org.bz/wp-content/uploads/2019_Abstract_of_Statistics.pdf.

2020 *Belize Labour Force Survey Report. September 2020*. Available at: www.sib.org.bz/wp-content/uploads/LFS_Report_2020-09.pdf.

n.d. Posters. Statistics. Available at: www.sib.org.bz/infographics/posters/.

Torre, E.

2020 *Destination and settlement of Central American migrants and refugees in Mexico*. Available at: www.journals.openedition.org/trace/5136#ftn2. (in Spanish).

United Nations Development Programme (UNDP)

2020 Socio-economic impact assessment. Available at: www.undp.org/coronavirus/socio-economic-impact-covid-19.

United Nations High Commissioner for Human Rights (OHCHR) and the Global Migration Group (GMG)

2018 *Principles and Guidelines, supported by practical guidance on the human rights protection of migrants in vulnerable situations*. Available at: www.ohchr.org/Documents/Issues/Migration/PrinciplesAndGuidelines.pdf.

United Nations Office on Drugs and Crime (UNODC)

2015 *The role of recruitment fees and abusive and fraudulent recruitment practices of recruitment agencies in trafficking in persons*. Available at: www.unodc.org/documents/human-trafficking/2015/15-05035_ebook-_Recruitment_Fees.Agencies.pdf.

UN Women and Colegio de México

2015 *Women Migrant Workers on Mexico's Southern Border. Towards a research agenda*. Available at: www.ohchr.org/Documents/Issues/SRMigrants/submissions/Mexico_HRC-DF_Annex20_Submission_GA-Report.pdf. (in Spanish).

UN Women, International Labour Organization (ILO) and Economic Commission for Latin America and the Caribbean (ECLAC)

2020 *Paid domestic workers in Latin America and the Caribbean in the face of the COVID-19 crisis*. Available at: www.oig.cepal.org/sites/default/files/trabajadoras_remuneradas_del_hogar_v11.06.20_1.pdf (in Spanish).

Verité

2017 *Risk Analysis of Labor Violations Among Farmworkers in the Guatemalan Sugar Sector. A Report on Findings from Rapid Appraisal Research*. Available at: www.verite.org/wp-content/uploads/2017/07/Verite_Guatemala_Sugar_Report_July_2017.pdf (in Spanish).

World Tourism Organization (UNWTO)

2010 *Tourism and Migration - Exploring the Relationship between Two Global Phenomena*. Available at: www.e-unwto.org/doi/book/10.18111/9789284413140.