

# UN Special Rapporteur denounces Canada's Temporary Foreign Worker Program as a "contemporary form of slavery"

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17 January 2024

One of the popular myths promoted by the Canadian government at home and abroad in pursuit of its geopolitical interests is that Canada is a country that stands for "human rights." In addition to this lie being contradicted by Canadian imperialism's support for the ongoing Israeli genocide in Gaza and its participation in virtually every US-led war of aggression over the past quarter century, it has been exposed in a recent UN report on the conditions facing migrant workers in the country.

The report found that contemporary forms of slavery and exploitation abound under Canada's temporary foreign worker program (TFWP), which is chiefly used to provide low-paid workers from impoverished countries for employers, especially in the agricultural and food-processing sectors.

In a recent interview with the *Globe and Mail*, Dr. Tomoyo Obokata, the United Nations Special Rapporteur on contemporary forms of slavery, stood by his condemnation of the TFWP. In an End of Mission Statement issued last September 6, Obokata bluntly stated that Canada's TFWP is "a breeding ground for contemporary forms of slavery."

Obokata's comments were based on a two-week tour of Canada late last summer to assess the Canadian government's ability and readiness to address modern forms of slavery, including forced labour, child labour, domestic servitude, debt bondage and sexual exploitation. The report was based on interviews and meetings with government officials, academics, trade union bureaucrats, members of parliament, and human rights commissions and ombudspersons at the federal and provincial levels. The rapporteur also met with migrant workers in a wide range of fields covered under the TFWP, including agriculture, caregiving, and meat and seafood processing.

Remarking on the disproportionate number of exploited migrant workers in the agricultural sector, the rapporteur wrote, "I am deeply disturbed by the accounts of exploitation and abuse shared with me by migrant workers." The report noted that "Employer-specific work permit regimes, including certain Temporary Foreign Worker Programs, make migrant workers vulnerable to contemporary forms of slavery, as they cannot report abuses without fear of deportation."

## A damning indictment of Canada's TFWP

TFWP workers enter Canada under closed work permits. This means that they cannot change employers without the permission of the government, and could face deportation or the termination of their employment if they violate the strict, pro-employer rules. Reliant upon their employer for access to accommodation and basic services, the

workers have no recourse and are unable to speak out for fear of their employer. All of this contravenes the UN's 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, a convention that neither Canada, nor any of the major imperialist powers, has ratified. This fact passes without comment on the part of Obokata and the corporate media.

The aim of the TFWP is to provide Canadian capital with a cheap and easily exploitable workforce.

Conditions for agricultural workers—many of whom hail from Mexico and the Caribbean—are particularly dire and Obokata's 12-page report makes for grim reading.

Some of the atrocious conditions documented in the report are:

- Closed work permits that are intended to bind migrant workers to their employers under threat of deportation;
- Appalling and overcrowded living conditions;
- Low wages, no overtime pay, and long hours (12-hour shifts are common);
- The burdening of workers with extra-contractual tasks not stipulated in their agreements;
- Sexual harassment, intimidation and violence from employers;
- Denial of access to health care and/or transport to medical facilities;
- Lack of access to social services, including language courses and other supports for newcomers;
- Frequent debt bondage to recruiters in their country of origin.

Most migrant workers are unaware of what complaint mechanisms do exist and, in instances where they are aware of their existence, often do not report abuses for fear of employer reprisals.

On top of all the egregious and inhumane employer abuses, the rapporteur was forced to conclude that the inspections conducted by federal and provincial authorities are "grossly ineffective." It would be more accurate to call them a pretense. The report documents the fact that many of the so-called inspections are conducted over the telephone. When they occur in person, employers receive advanced notice allowing them to prepare. Labour inspectors collaborate with immigration authorities to target and deport undocumented workers.

While Obokata's searing criticisms of the TFWP have been the focus of what little political and media comment there has been on his report, he also looked at the treatment of other marginalized groups.

His report points to the connection between sex trafficking and the large number of missing and murdered indigenous women. Indigenous children are overrepresented in out-of-home care services and subject to sexual, criminal and labour exploitation. Trafficking, the report observes, is prevalent in remote areas "in the vicinity of mobile resource extraction camps, or 'man camps', populated by moneyed non-Indigenous men and often located in remote areas. The degree of control over them by

traffickers or exploiters is such that some instances may amount to sexual slavery, which is the most severe forms of sexual exploitation.” Obokata indicates that poverty and inequality are root causes.

The report also points to the exploitation of people with intellectual disabilities in so-called “sheltered workshops,” where they are employed by private businesses and are paid less than the minimum wage.

The homeless are also discussed in the report, with Obokata noting that the precarious living circumstances caused by the chronic shortage of affordable housing in Canada is a point at which vulnerable people can be targeted for exploitation.

The solutions at the end of the report are a pathetic plea for limited reforms, such as ratifying the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families; the recognition of trade union rights; actually enforcing the law; increased inspections of workplaces; pathways to citizenship for migrant workers; modifying the TFWP to allow migrant workers to change employers freely, etc.

It must be stated bluntly that the insatiable demands of the profit system are the source of these atrocious practices. Moreover, as the political experiences of the past decades demonstrate, no fundamental changes to the ruthless forms of exploitation under the TFWP can be expected from any of the parties committed to the defence of the capitalist profit system.

The conditions described in the report have been underscored by the workers themselves. Jamaican migrant workers at a farm in southern Ontario addressed an open letter to the Jamaican Minister of Labour calling the TFWP “systemic slavery.” The open letter predated the death of a migrant worker on the farm by a few days. Three migrant workers died on farms last year, according to the Migrant Workers Alliance for Change, an advocacy group with links to the United Food and Commercial Workers (UFCW).

In a deplorable statement issued last month, the UFCW pledged fealty to the profit system. Commenting on a meeting between representatives of the Canadian and Mexican governments, a UFCW official said, “We welcome the opportunity to be at the table to advocate for workers.” As noted in the UFCW report, this is the first time that a union has been asked to have a “seat at the table” since the beginning of the Seasonal Agricultural Workers Program (SAWP), a part of the TFWP. This opportunity is, in fact, a means to deepen the corporatist alliance between the union bureaucracy, the employers and the respective governments.

### **The complicity of the entire political establishment**

Canada has a long checkered history of exploiting migrant labour. A brief review would point to the extensive use of Irish labour for the construction of Welland and Rideau canals in the 1820s and 1830s, and the use of an estimated 15,000 Chinese workers to complete the most dangerous work in the construction of the Canadian Pacific Railway in the 1880s. Government immigration policy was expressly racist, featuring racial quotas and a marked preference for peoples from Britain and northern Europe. The Chinese Exclusion Act of 1923, which was passed by the Liberal government of William Mackenzie King, is just one of the sordid episodes in this tragic saga.

The federal government—then led by Pierre-Elliott Trudeau, the father of the current Liberal prime minister, Justin Trudeau— formalized what would become the TFWP in 1973. Its chief purpose was to address “labour shortages” by importing workers. It was an outgrowth of earlier programs such as the Seasonal Agricultural Workers Program, a bilateral agreement with individual countries in Latin America, the first of which was struck with Jamaica in 1966, and the West Indian Domestic Scheme,

which was in place from 1955 to 1967.

Developments during the half century since the formalization of the TFWP have unmasked the program for what it really is: a brutal form of wage slavery. Mikal Skuterud, a professor of labour economics made the following remarks to Bloomberg in an interview via telephone last spring: “These workers will put up with almost anything because they’re desperate to make this transition. They have much lower rates of absenteeism. They accept lower wages ... From an employer’s point of view, this is huge profits that can be made off the backs of these workers.”

All of the establishment parties have ensured that nothing is done to impede the flow of profits to the pockets of the capitalists, whatever the human cost. Not one party has called for the abolition of the monstrous TFWP Program.

Liberal Minister of Immigration, Refugees, and Citizenship Mark Miller is only one of the many government and opposition representatives to take great exception to Obokata’s report. The *Globe and Mail* quoted Miller’s remarks from a committee meeting in November, where he attempted to dismiss the report, saying, “I don’t know what descendants of former slaves would think of that characterization in relation to the abuse of their forefathers and foremothers.” This is nothing more than an attempt to evade the question of the obvious abuse of migrant workers by employers while covering over the record of the Liberals in defending the TFWP.

The default posture of moral handwringing adopted by the Liberals is cynical in the extreme. In 2014, an opinion piece under then opposition leader Justin Trudeau’s name appeared in the *Toronto Star*. It criticized the Harper Conservative government for the expansion of the TFWP. In it, Trudeau explicitly stated that “[a]buse is not rare. It is far too common and must end immediately.” The article continued in this vein, with calls for the TFWP “to be scaled back dramatically,” and an appeal for “real transparency and accountability.” Trudeau went so far as to state that the “Temporary Foreign Worker Program is broken.” Ending on a sanctimonious note, he wrote, “I believe it is wrong for Canada to follow the path of countries who exploit large numbers of guest workers, who have no realistic prospect of citizenship. It is bad for our economy in that it depresses wages for all Canadians.”

None of these lofty promises have been enacted since the Trudeau Liberals, posturing as friends of refugees and immigrants, came to power in 2015. In fact, the TFWP has dramatically expanded under the Liberals’ tenure. The paltry regulations that existed were eased in the spring of 2022, leading to an increase in the number of approvals for TFWs. A report published in the *Globe and Mail* last summer indicated that Ottawa rubber stamped the hiring of 80,000 temporary foreign workers in the low-wage stream, treble the volume since the rules were changed 12 months prior.

The Harper government oversaw a substantial increase in the number of temporary foreign workers, from under 30,000 at the beginning of the century to more than 110,000 in 2008-09. Jason Kenny, who served as employment minister under Harper, vigorously defended the program as a means to address the euphemistically termed “labour shortage.” This is the same position taken by the Liberals a decade later. Pierre Poilievre, the far-right leader of the federal Conservative party, has taken a national-chauvinist stance in recent months, going so far as to call for a public inquiry into reports that temporary foreign workers from South Korea are employed in constructing the NextStar battery plant in Windsor, Ontario. This transparent attempt to whip up chauvinism is meant to pander to his far-right base and has absolutely nothing to do with any concern about the miserable conditions faced by TFWs.

For their part, the NDP has confined its criticisms of the TFWP to calling for a clear path to citizenship for migrant workers. In a statement dated April 5, 2022, NDP Critic for Immigration, Refugees, and Citizenship Jenny Kwan and NDP Critic for Employment and Workforce Development Daniel Blaikie criticized the Liberals for “only listening to

the employers ... disregarding the rights of migrant workers.” However, their solution to the problem is to “regularize temporary and undocumented workers in Canada and provide new migrant workers with PR [permanent residency] on arrival.” These timid proposals have not stopped the NDP propping up Trudeau’s Liberals for the past four years, making sure that the minority government has a parliamentary majority for its right-wing program of austerity, war, and the brutal exploitation of TFWs.

The acute crisis of the capitalist profit system is driving Canadian capital, like its rivals, to scour the globe for ever cheaper labour. Programs like the TFWP must be abolished. Workers must counter the ruling-class calls for quotas and its foul national chauvinist appeals with demands for full citizenship rights for all migrant workers and the right of all workers to live wherever they please, no matter their ethnicity or place of origin. These demands are incompatible with the profit system, which is rooted in the division of the world into rival nation-states, and must be fought for as part of a global struggle by the working class for the socialist transformation of society.



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