ICMPD
20 YEARS

10
OBSERVATIONS
on the Future
of Migration

Costs, Benefits and Policy Responses

Veronika Bilger, Sabine Klinglmair and Martin Hofmann (Editor)

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Content

Foreword

Peter Widermann
Director General

ICMPD was founded 20 years ago, at a time when big political changes in Europe were taking place or still had to be digested. ICMPD's ability to understand the complexity of migration realities and its partnership-based approach have enabled the organisation not only to support its member states in the implementation of their migration policies, but also to play a leading role at the European level. ICMPD has grown from a small body into a powerful intergovernmental migration organisation working in the global hot spots of migration.

When we started to plan the celebrations for the 20th anniversary of ICMPD, we reflected on what it is exactly that makes ICMPD different from other organisations, what makes it unique. One answer is that ICMPD has always believed in the universal obligation to create and live in a forward-looking migration system embedded in a human rights-based, economic and security-oriented framework; a second is the organisation's holistic approach, with the focus on including all partners in finding a solution. Another unique aspect is ICMPD's strength in combining policy-oriented research with practical implementation while at the same time being able to act as a platform of exchange for its member or partner states.

Therefore, we decided to do what we do best: call upon our international (internal and external) network of excellent researchers, ask them to share their views on 10 different topics, discuss them with government officials and include our own experience – all of which together forms our "10 observations on the future of migration"!

We are convinced that migration will have an important influence on the future development of societies and economies, and that we have to consider the opportunities and challenges for all people: those who migrate, those who stay and those who receive migrants into their societies. Migration is about people, and we must never forget that!

This closer look at the future of migration comes at an appropriate time, as it is expected that demographic changes and economic growth in emerging markets will soon lead to completely new migration patterns. For example, BRICS countries like Brazil or India will turn from emigration into immigration countries. China will recruit 50 million workers in the coming years. In the United States, immigration reform is being negotiated under the banner of "Creating an immigration system for the 21st century", and Europe is on its way to a common migration policy with many important steps already taken. However, much more still has to be done in the future.

I am convinced that this publication can contribute to a more facts-based discussion on migration and provide all people working in migration-related fields with guidance to help them navigate the future and best utilise the benefits of migration. I would like to congratulate and thank the authors of the 10 essays and the ICMPD team for their excellent work and collaboration on this publication. I would also like to thank Irene Stacher, who was not only one of the founders of research in ICMPD but also guided the conceptualisation and finalisation of this publication.

Introduction

Veronika Bilger

At the beginning of the 1990s, Europe faced a profound transformation with regard to its geopolitical landscape and the resulting new asylum and migration flows. The fall of the Iron Curtain and the Europeanisation of migration policy pushed migration to the centre of political debates and initiated a major shift in migration policy making. During the 1990s, Europe saw a lot of East-West migration and an unprecedented number of asylum migration and irregular migration flows. In addition, the dissolution of the Soviet Union and Yugoslavia led to the emergence of new states which looked to join the European Union and the area of free movement. The perception of a "migration crisis" dominated the debate. At the same time, the entry into force of the single market in 1992 and the related strengthening of freedom of movement of European citizens within the EU (the most visible sign of which was the abolition of border controls within the EU territory), brought about new patterns of mobility and had a lasting impact on overall migration patterns within the EU. Controlling migration from outside the growing European Union was the guiding principle of the time, and migration policy making in Europe focused on preventing immigration rather than promoting mobility. For the first time, integration of already resident immigrants was on the agenda of national-level policy making and was prioritised over new immigration. Governments were reluctant to allow significant labour migration to occur from outside the European Union and family-related migration became a major issue of contention, while asylum migration, irregular migration, human smuggling and human trafficking were for a long time used almost synonymously and were primarily understood as a threat to the integrity of European states. At the same time, the above-mentioned political developments and ongoing European integration increasingly called for sound information and expertise in migration-related fields.

These changes formed the setting in which ICMPD was founded by Austria and Switzerland in 1993. ICMPD's main purpose was to serve as a support mechanism for informal consultation and to provide evidence-based advice, expertise and services and, by doing so, to function as a network and exchange

mechanism for governments and organisations dealing with migration. In this capacity, ICMPD has hosted the secretariats of a number of informal interregional and intergovernmental forums, the oldest of which are the Budapest Process (established in 1993) and the Mediterranean Transit Migration (MTM) Dialogue (created in 2002). Facilitating dialogue and cooperation within Europe and between Europe and its neighbours along migration routes has remained one of the key strengths of ICMPD.

At the beginning of the 1990s, there were only a few dedicated migration research institutions, many of them newly established, with many other institutions to follow in subsequent years. Research was predominantly nationally oriented, with only modest degrees of international collaboration. As a result, there were also relatively few comparative studies across a larger number of countries, reflecting also the lack of opportunities to fund international collaborative research. At the European level, it was only with the European Commission's 5th Research Framework Programme (1998–2002) that studies focusing on migration received funding from the European Commission's main research programme. Before the EU was given formal competence on migration and asylum policy by the Treaty of Amsterdam (1997), financial support from other European Commission funding programmes or relevant tenders was similarly limited.

Among international organisations, the ILO has the longest track record of expertise in labour migration. The ILO was founded in the 1920s and considerably expanded with the establishment of its labour migration programme after World War II. The UNHCR, which was established in 1950 and mandated to protect refugees and promote durable solutions for refugee situations, also built up considerable expertise over time, although information collection and research only became a priority during the 1990s. The IOM, founded in 1951 as the Provisional Intergovernmental Committee for the Movement of Migrants from Europe, was, as its original name suggests, established mainly as an operational agency involved in resettlement, return and humanitarian assistance in situations involving migrants. It was only after 1989 that providing migration-related expertise became a major focus of the organisation, which went hand in hand with an expansion of the thematic areas in which IOM was working. In the European context, the collection, exchange and analysis of information on migration was pioneered by the OECD, the heart of which is the OECD's Continuous Reporting System on Migration (better known by its French acronym SOPEMI), established in 1973. Other international forums which dealt with migration and asylum questions before the 1990s were the European Committee on Migra-

tion (CDMG) and the Ad Hoc Committee of Experts on the Legal Aspects of Territorial Asylum, Refugees and Stateless Persons (CAHAR) within the Council of Europe. ICMPD, too, since its very inception, has worked on building up knowledge on migration issues and linking the worlds of policy and research.

Two decades later we have a much more nuanced debate, and also one in which the diversity of migration flows is openly acknowledged and migration, on the whole, is appreciated as a positive phenomenon. The exclusive focus on migration and security, and the related desire to control and limit migration, has given way to the idea of "managed migration", where the aim is to steer rather than prevent migration in order to maximise its benefits and limit negative impacts. There has also been a leap in international cooperation on migration, which in turn reflects the rising attention that migration has received as a policy issue at the international level. The extent of cooperation between states at the international, regional and bilateral level is indeed unprecedented and is reflected, among other things, in the dozens of migration dialogues that have been established at a regional level since the 1990s as well as in the UN High Level Dialogue on Migration and Development, which aims at fostering global dialogue, partnership and cooperation. New approaches have been created at the supranational level, including new regimes for regional mobility. The migra-tion-related research landscape has also expanded significantly in terms of in-stitutes, programmes and cooperation, as has the number of knowledge-based government networks. While in earlier times even the most basic data on migra-tion was not always available, today we have a fairly good overview of the gen-eral characteristics of migration dynamics and the migrant population and also a much better understanding of each other's needs, concerns and interests.

These changes and the increasing importance of global dimensions in migra-tion governance and cooperation are also reflected in the institutional develop-ment of ICMPD. 20 years after its foundation, the organisation has grown from a rather small body into one with 15 member states and project offices throughout the world. It supports six intergovernmental dialogues on migration and imple-ments more than 60 research and capacity-building projects per year. While still focusing on Europe and its immediate neighbouring countries, ICMPD to-day also works in other continents and regions such as North, West and East Africa, Central Asia, the Middle East and Latin America.

It is clear that international migration will remain an ever changing and highly complex phenomenon and that migration policy will continue to be challenged,

even though we know a lot more about migration than we ever did before. Apart from the fact that migration policies are not always clearly defined and sometimes even contradictory, there are a variety of factors outside the control of any policy or migration management programme which greatly influence migration patterns. Thus, in the future too, migration policy will continue to impact new fields whose dynamics are widely unknown.

Reflecting its drive to contribute to forward-looking migration policy development, ICMPD decided to look to the future for its 20th anniversary project: 10 Observations on the Future of Migration in Europe – Costs, Benefits and Policy Responses. As the backbone of the anniversary celebrations, the project provides an initial impetus to take a step out from the daily routine of dealing with migration management, to take a broader look and reflect on what we know about migration in its various forms, how it was managed in the past and how it is managed today, how it might develop in the future and how we should react to changes and expected developments. Given that ICMPD is an organisation which strives for comprehensive, sustainable and forward-looking migration governance at the national, regional and international level, its 20th anniversary is a very good opportunity to look back but also to look ahead: who will be the actors in the future and how will their roles change? What opportunities and challenges lie ahead? And last but not least: what should we do to make migration a positive reality for everyone involved?

The starting point of this project was the idea to develop an outlook on the future of specific fields which are of particular importance to the governance of migration and, by doing so, provide policy-relevant conclusions that would support timely planning and responses to a changing environment. Based on ICMPD's belief that good policy making depends on high-quality information, renowned academics were invited to provide short essays summarising their expertise in these fields and reflect on possible future demographic, economic, societal and political developments. Based on these papers, 10 concrete observations on the future of migration and migration governance in Europe were developed in dedicated workshops and presented at the ICMPD 20th Anniversary Symposium in Vienna on 7 November 2013.

We are well aware that there is a lot of excellent forward-looking work that has been published more recently; therefore, the papers and observations presented in this book aim at complementing existing work. This is also why we did not focus on changing modes, patterns, volumes or forms of migration per se,

but rather explored what the expected changes in migration and relevant fields would mean for established migration governance in the future.

Starting from projected global demographic developments and their impact on population flows and economic developments, several observations can be formulated regarding the future of migration and migration governance. For example, European states are increasingly preparing for emerging labour needs in private households. At the same time, it has to be recognised that the booming labour market sectors will be those with a high degree of informal and low-wage employment, where skills and earnings very often do not conflate. Thus, a shift in foreign employment from the formal to the informal sectors of the labour market touches upon pressing issues of discrimination and exploitation. National protection schemes as well as international protection frameworks will need to be targeted more effectively in the future. In general, the need for concerted migration policy will be of particular importance in times of increased regional and international cooperation in migration governance. New regimes for international mobility and migration that have changed the role of actors in multilevel governance, as well as the expected diversification of migration flows, raise important questions about social cohesion in societies. The significance of representation, participation and belonging will also shift accordingly and the portability of social rights will be of increasing importance. While migration policy will need to deal with facilitated transnational mobility, attention should also be given to people who may lack the resources to move due to economic, political, social, demographic and environmental factors.

As we can see, developments in a variety of areas have imminent implications for mobility and its significance in migration policy making. Development changes the direction, the scale, the composition and the quality of mobility in every direction. As migration is always a development issue, it is important that migration and development policies are interlinked.

By emphasising developments that will affect European societies as well as the global society, the 20th anniversary project aims to make a contribution to the debate and dialogue on the future of migration and to encourage forward-looking and evidence-based migration policy making in ICMPD's member states, in Europe and beyond.

Executive Summary

1) The geography of international migration will change considerably in the future

Based on the paper "Migration in the 21st Century –
The Impact of Future Economic and Demographic Disparities"

by Rainer Münz and workshops and discussions organised by ICMPD

The main indicator for future migration patterns is "growth": *demographic growth and economic growth*. Two hundred years ago, the world population totalled 1 billion people. Today there are 7.2 billion people living on our planet. For a long time, *demographic growth was concentrated in Europe*. It is only during the last 40 years that more than 95% of global *demographic growth has shifted* to emerging markets and developing countries. The richer parts of the world are already experiencing *rapid demographic aging*. Mid- and low-income countries will soon face this development too.

The main driver of reduced global population growth is *declining fertility*. Already today, 50% of the global population lives in countries with less than two children per family. It can be assumed that within the next 30 years up to 75% of the world population will live in countries where the average number of children in a family is 2 or below. This indicates that on a global scale the *population above 65 will triple* from 500 million today to 1.5 billion in 2060, while the *age group more relevant for labour markets will shrink in Europe*.

If we look at economic development, it can be observed that in the 1980s, 70% of global growth took place in the industrialised countries. This pattern has changed completely. Today, 75% of *growth comes from emerging markets*. On average, only countries with a cross-national income of below 9,000 US dollars per year have more emigrants than immigrants. Thus, in emerging economies,

emigration will sooner or later decline too (as already observed, for example, in Mexico and Turkey). As a consequence, the current geography of migration will change. *Emerging markets will gradually enter the global race for talent*, and will become more attractive destinations for workers than some of today's immigrant-receiving countries.

International migration, however, is only one possible answer to future mismatches between supply and demand of labour and skills. For countries with aging populations, it can form part of a global strategy comprising broader labour market reforms, higher employment rates of women, higher employment rates of vulnerable groups, longer periods of participation and family policies that result in higher birth rates. At the same time, countries and regions with youthful and growing populations will have to continue their efforts to unleash their economic potential and to create jobs.

Europe should prepare for a changed geography of international migration.

› *East-West migration will come to an end* and will be replaced by immigration from countries with youthful and growing populations in *South Asia, the Middle East and sub-Saharan Africa*.

› As the number of immigration countries increases and the number of emigration countries decreases, the global hunt for talent will intensify.
› European countries with aging societies and stagnating or declining working-age populations will need to invest more in sound, forward-looking migration policies and will also have to *prepare their resident population for a more diverse society in terms of ethnic origin*.

› European countries have to *apply a non-discriminatory approach towards immigrants to avoid downskilling and brain waste*. Equal pay and social security coverage for migrants, as well as portable rights, will benefit sending countries and will make receiving countries more attractive destinations in the future race for talent.

2) Labour migration will change from a supply-driven to a demand-driven market

Based on the paper "Present and future labour market needs, labour and skills demands in specific countries, sectors and occupations"

by August Gächter and workshops and discussions organised by ICMPD

Until now, EU enlargement and East-West migration in the aftermath of the fall of the Iron Curtain have satisfied most labour force demands of Western European countries. But this is about to change, and growing labour shortages in Central and Eastern European countries and global demographic developments will require a fundamentally changed approach. A central question is: *where will labour supplies in Europe come from in the future?* Currently many states *look to Asia and Latin America rather than Africa* as desired regions of origin for projected future labour market demands. In the long run, however, *Asia will be competing with Europe for a labour force*. China will require at least 50 million workers and will have to reach out beyond the region to recruit. During the last three decades, the demand for mobility in Europe has exceeded the opportunities for mobility. Consequently, immigration regimes in Europe have tended to become more restrictive or selective without becoming more uniform. States have seen themselves as fending off labour migration rather than facilitating it. They have emphasised security perspectives and public perception as priorities over other aspects of migration policy. Labour migration policies have focused on *temporary worker schemes*, relied on *intra-EU migration* and tried to *attract highly-skilled migrants* with policies that have not really proven to be attractive.

The *vision guiding European labour migration policies so far* seems to be that of a *three-caste society*. At the bottom there is a layer of temporary migrant workers in low-skill occupations. Above them there is an initially large but shrinking layer of native workers with intermediate skills who remain isolated from both immigration and emigration. On top there is an expanding layer of reasonably cosmopolitan highly-skilled workers who might or might not settle.

The *biggest challenge* at present, but also, more importantly, in the future, is in the area of *intermediate skills* (skilled craftspeople and industrial workers).

Currently, recruiting abroad offers no alternative because in most cases the way middle-level skills are acquired, certified, employed, etc., differs extraordinarily between countries, although the skills themselves may differ only little. In addition, it is especially hard to have middle-level qualifications from abroad recognised and the varying procedures for such recognition allow for substantial degrees of arbitrariness. However, in the future, European labour migration will change from a supply-driven to a demand-driven market which has to compete successfully with an increasing number of other attractive destinations. In order to do so, *it has to become more attractive and be better managed*.

Europe needs to rethink its approach towards labour migration.

› In order to attract a sufficient number of highly-skilled, qualified or educated third-country nationals, European states will have to *abolish restrictions on their work and social life*.

› The area of *intermediate skills will become a true bottleneck* and a key challenge in labour migration. To satisfy the ever growing need for a greater number of intermediate-skilled workers, European states have to *engage in more targeted and much more substantive cooperation with countries of origin* on vocational training standards and the formal recognition of skills and qualifications.

› Regarding immigrants already resident, European states have to find ways to better *utilise immigrant skills*, education and qualifications and to put an end to discrimination and labour market restrictions for their family members.

› European states will have to *move away from complicated and/or frequently changing immigration rules and divided, shifting or poorly defined competencies*, both of which pose serious obstacles to the immigration needed. Social partners and government offices for economic affairs, labour, social security and justice should have a bigger role in labour migration matters than they currently do, as should regions and municipalities. States will need pragmatic, transparent and more welcoming immigration policies to compete with other regions.

3) Private households will become increasingly important actors by creating jobs for (female) immigrants

Based on the paper "Gender Structures in International Migration Processes"

by Eleonore Kofman and workshops and discussions organised by ICMPD

International migration has always included a large share of women. During the 1990s, more than half of all migrants in Europe were female (51.7%). Consequently, and when looking at gender issues in migration and its future, the question is not whether women migrate or not, but how the structures and frameworks are developing in which migration of women takes place.

All over the world, women work in sectors of the economy that vary significantly from those where men find an occupation. There is a *gender bias in current migration policies*. Traditionally, they focus on the "male" sectors of the economy, creating opportunities or restricting access while somehow neglecting those sectors and types of occupations that are dominated by female migrants. However, it is exactly those *labour market segments traditionally occupied by female migrants* (such as health care, domestic care, child care, gastronomy and tourism) which can be expected to *grow disproportionally in the future*. Even in times of economic crisis, foreign employment has grown in these segments and this trend will most likely continue in the years to come. At the same time, these sectors are the ones where skills, qualifications and earnings conflate the least, where employment below qualification and deskilling are the norm and the risk of wage dumping, exploitation and poor working conditions is high. There are strong indications that the *informal and low-wage sectors will be characterised by steady demand in the future*, implying that the low-income, low-skilled, informal job positions held by women, and in particular migrant women, are becoming those jobs with a comparatively high job security.

The typically female segments of the labour market for immigrants are already now characterised by *private households* as the *main job creators*. If the size of

this sector increases in the future, it will also increase the significance of the role of private households in shaping the size and structure of immigration to Europe.

In aging European societies, it is undisputed that the *care sector*, in general, and the private household, in particular, will become even more important areas of "job creation". European states are increasingly trying to take into account the growing labour needs in private households and develop corresponding immigration schemes.

Europe will have to better define the role of private households as actors in immigration and address the specific needs of female migrants working in related segments of the labour market.

› In aging European societies, the significance of the *care sector* and the question of *how to fill related jobs will go beyond migration* management and become one of the key issues for the maintenance of prosperity and economic growth in European societies.

› As related jobs will be mainly *created by private households* and filled by female migrants, the challenge will be to avoid deskilling, wage dumping and exploitation of migrants in an economic segment that largely eludes state control.

› In this process, European states will have to *prevent a structural shift in foreign employment from the formal to the informal sector*, as well as addressing a potential shift from traditionally "male" to "female" migrant jobs.

4) The existing THB framework needs to be adjusted in order to tackle trafficking for labour exploitation

Based on the paper "Labour exploitation and trafficking for labour exploitation in the wider EU region: trends and challenges for policy making"

by Mariyana Radeva Berket and workshops and discussions organised by ICMPD

Recently, the debate on trafficking in migrants for labour exploitation has gained more prominence within the international framework for combating labour exploitation and protecting the rights of (migrant) workers. However, there is a *lack of conceptual clarity* within the existing policy framework and a continued debate on the distinction between "forced labour", "labour exploitation" and "trafficking in human beings for the purpose of labour exploitation". While most concepts focus on protecting workers' rights and their way out of exploitative situations, the definition of trafficking in human beings (THB) puts the most emphasis on how a person came into the situation of being exploited.

Labour exploitation has only recently moved to the centre of the debate on trafficking in human beings. On an operational level, it can be observed that the existing internationally established approach to combating THB – developed with a view to fighting trafficking for sexual exploitation – *cannot be easily applied* in the area of *labour exploitation*. Identifying trafficking for labour exploitation is particularly difficult. Not all situations of forced labour result in THB, but in all cases of THB (labour) exploitation is the main purpose. In many cases, it is a gradual process in which working conditions slowly develop from an initially consensual employment relationship to a breach of minimum labour standards and a steady deterioration of working conditions, or even to dependency and forms of extreme exploitation. Thus, cases of THB for the purpose of labour exploitation are often only the culmination and/or the final step of a *series of exploitative employment situations*.

If the THB framework is to be applied to fight labour exploitation, fundamental adaptations of the established *'4P approach'* (prevention, protection, prosecution and partnership) will be needed. The current THB framework aims at fighting a crime in

the *context of organised crime*, but does not directly aim at *liberating a person from an exploitative situation*. Accordingly, the criminal justice approach asks for very *specific types of victims*, which *do not necessarily correspond to the types of victims* to be found in exploitative situations entailing a gradual deterioration of working conditions. Thus, in terms of *prevention*, current victim profiles need to be reconsidered and less "obvious" indicators of exploitation need to be emphasised. Furthermore, the established framework of providing protection is challenged by the fact that victims may not easily identify themselves according to the existing profiles of a victim of trafficking. This, again, has direct consequences for services provided to victims in regard to both victims' needs and resources required.

Finally, current conceptual confusion impedes successful *prosecution* and challenges sustainable partnerships in fighting this specific type of crime. In addition, *responsibilities and modes of cooperation* of competent authorities are particularly difficult to define in cases where violations of labour law and criminal law go hand in hand.

European states should review their approach towards different forms of labour exploitation.

› In order to successfully *prevent* THB for the purpose of labour exploitation (including prostitution where recognised as work), it may be useful to approach the issue from a different angle, i.e. look at *'minor offences'* instead of focusing on extreme cases, as well as taking into consideration the broader context of *supply and demand for cheap labour and services, new markets and cut-price products*.

› Besides using existing European instruments on the rights of workers in order to impose sanctions on employers and protect victims, European states may need to turn to *international conventions* and other relevant international instruments which set (labour) *standards* in certain sectors that could possibly be *transferred to other sectors*. Selection of the right instruments and support mechanisms needs to be based on the *concrete needs* of those who are subject to exploitation.

› *Moving away from framing exploitation in the context of migration* should be considered. Exploitation affects both migrants and non-migrants.

5) Multilevel and multi-actor governance is a challenge for concerted migration policy

Based on the paper "Multilevel governance of migration polices – policy making at the local, national and international level"

by Rinus Penninx and workshops and discussions organised by ICMPD

In the last 50 years, Europe has changed from a continent of emigration into a continent of immigration, although European countries were *'unwilling' immigration countries* until the 1990s. This changed fundamentally with the founding of the *European Union*, as European Union citizenship and full freedom of movement were introduced for all citizens of its Member States. A big part of what was formerly known as international migration came to be considered as *'unregulated internal migration'*. The *freedom of movement* and the *abolition of borders* within the EU made it necessary to coordinate Member States' policies relating to the admission of citizens of non-EU countries ('third-country nationals'). The European Union became a significant *new policy unit at the supranational level* and created *completely new regimes* for international mobility and migration within Europe.

Before these changes, national governments had a *monopoly* on the politics of international migration. This is no longer so. Early EU Member States transposed their national policies into common admission policies for potential immigrants from third countries (economic migrants, family migrants and asylum seekers), which were then made into standard policies for the new EU Member States as well (EU acquis). Thus, the European Union introduced *new notions of migration with different regimes and statuses*.

Until the late 1990s, there were only a few examples of explicit national *integration policies*. Related responsibilities were left to *local level policy making and civil society organisations*. Under the new framework, national governments started dealing with integration policies, each with their own concept of integration, target groups and objectives. While EU citizens are by definition considered 'integrated' when moving within the European Union, third-country nationals often have to prove their ability for integration before migrating. *Integration policies have become part of national-level admission policies* and an

instrument to better select potential migrants. *Local governments, on the other hand, are now revising their position* in relation to these new policy actors and conditions.

New opposition between national and local governments is emerging and *new coalitions* of various local actors and EU agencies (e.g. European Parliament, NGOs, courts, research institutions and programmes) are being built that allow for 'circumventing' of national-level governance through direct cooperation. These coalitions observe and steer national-level policy making.

European states should work on balancing and harmonising the different levels of migration governance.

› European migration policy will *continue to be characterised by multilevel governance*. The involvement of different levels and the high complexity of policy making and implementation *will not automatically result in better coordination and mutual support*.

› Also in the future, the *different levels of governance will have to align their respective policies with the particular political pressures affecting them*. From a pragmatic point of view, a *better definition of common interests between all levels would constitute the best possible starting point for consistent, complementary and concerted action*.

6) Immigrant integration needs to be addressed in the broader context of overall social cohesion

Based on the paper "Immigrant integration,
public acceptance and social cohesion"

**by Didier Ruedin and Gianni D´Amato and workshops and discussions
organised by ICMPD**

More than societies in other regions of the world, European societies (and policy makers) have interpreted immigration as a challenge to social cohesion. There are three main reasons for this: 1) *a more diverse composition of migration* since the 1970s (comprising immigrants with no particular ethical, cultural or historical ties with their countries of destination), 2) *the end of exceptionally high economic growth rates* in the 1970s and 3) *a rethinking of the welfare state* in the 1980s.

Both 'social cohesion' and 'integration' are difficult to define. It is, however, obvious that cohesion within a society is a crucial aspect of its functioning and of the legitimacy of its political system. The various definitions of *social cohesion* refer to a *shared sense* of 'inclusion', 'belonging' and 'identity' within a society, the interconnectedness between its members and with the institutions, a sense of 'solidarity', 'community' and 'orientation towards a common good'.

The debate on *integration* has also not resulted in a commonly accepted definition of the underlying concept. Central to all concepts, however, is the *understanding that integration is a mutual and reciprocal process* which requires the involvement of both the migrants and the resident population. Migrants have to obtain the necessary means to participate in the economic, cultural and social life of the receiving societies; they have to *benefit from equal rights and access to opportunities* and are subject to the *same duties* as the domestic population.

Today, integration policies are seen as a *key element of migration management in order to promote social cohesion.* It would be wrong to argue that social cohesion is challenged solely by migration. Other factors like modernisation,

globalisation, and changing economic structures, cultural codes and lifestyles are even more important factors in this regard. Integration policies are important instruments as long as they are embedded in overall policies promoting social cohesion for both migrants and non-migrants. Economic aspects are key, i.e. sufficient jobs and economic prospects for migrants and non-migrants, but social and cultural aspects also deserve attention as long as they are addressed to the society as a whole.

European states need to address integration in the broader context of overall social cohesion.

› European states will have to better *address all challenges* to social cohesion that result from modernisation and change. Immigration and integration are important sub-issues, but not the most important factor in ensuring social cohesion.

› *Social cohesion needs to be promoted at all levels and for the whole society.* Related policies have to promote jobs and create economic opportunities but also foster exchange and interaction between the various social groups with a view to creating a joint sense of identity, belonging and community.

7) Diverse societies require increased political participation and representation of immigrants and their descendants

Based on the paper "Migration and citizenship in Europe: political participation, mobilisation and representation"

by Marco Martiniello and workshops and discussions organised by ICMPD

Movements of people across borders have impacted states and societies and migrants have always been involved in the politics of both their countries of origin and residence. Immigrant political participation is important at various levels of policy making. *Union politics* and *associations*, for example, have been the cradle of immigrant political participation, including both citizens and non-citizens. Also, interest and pressure groups are important instruments of political expression (e.g. mobilisation around concerns regarding religious inclusion), particularly for non-citizens and those who are marginalised (e.g. in the case of the sans-papiers movement across Europe). Migrants, in general, and refugees, in particular, also engage in *transnational political activities* by mobilising in their country of residence to produce a political impact in their country of origin.

The last several years have seen the proliferation of various informal dialogue structures between state and mainstream institutions, on the one hand, and migrant and religious minority institutions on the other. However, in most European countries it is only more recently that migrants and their descendants have become engaged in *mainstream political institutions*. This process has been facilitated by an *extension of voting rights* (e.g. at the local level) to foreigners in several countries and by a *liberalisation of nationality law* in others. European states grant *full electoral rights to their citizens* only. Since the share of citizens with a migration background has increased, *immigrants' votes* are assessed as being *potentially decisive for the outcome of elections*. Political parties have developed an interest in immigrant communities, not only in local, but also in national elections. *'Ethnic voting'* has become an important strategy by which political parties recruit immigrant candidates or seek to approach 'collective voters' by increasing the party's profile within a migrant community and by promising to give particular advantage to this specific group.

European states will have to address the issue of political participation and representation of immigrants and their descendants in increasingly diverse societies.

› Considering the persistent high levels of migration and practical barriers to acquisition of citizenship in a number of European countries, the share of the population not eligible for participation in formal political structures will increase. Questions about *formal barriers to political participation will need to be addressed* in countries with a naturalisation policy unfavourable to immigrants.

› Massive political exclusion should be avoided by considering the *inclusion of second-, and sometimes even third-generation immigrants*, who represent an age group where the share of the population with a migrant background is considerably higher than the overall average.

› While *informal political dialogue mechanisms* are useful, they *cannot be a substitute for broader forms of political engagement* with migrant minorities and their recognition as individuals or potential citizens.

› European societies are becoming *increasingly diverse*. *Migration is but one axis of diversity* and other axes, such as gender, religion or age, are important too. In addition, migrant populations are also highly diverse and will continue to be more diverse in terms of countries of origin or reasons for migration. There are thus *no one-size-fits-all solutions* to problems of political participation.

8) A mobile Europe in a mobile world needs mobile welfare

Based on the paper "Governing migration in European welfare states – chance, challenge or contradictions"

by Bernhard Perchinig and workshops and discussions organised by ICMPD

There is a complex relationship between migration and the welfare state, particularly in Europe. This complexity is rooted in the unique historical development of the welfare state in Europe: the idea of a 'people' based on a common history, language or culture shaped the development of nation states, which institutionalised territorialised solidarity through the concept of citizenship as a key to access to participation in the society. Thus many European welfare states initially linked most aspects of welfare to holding the national passport. In most European welfare states, the growth of migration since the 1960s has led to an extension of social rights to resident immigrants. Nevertheless, welfare states have remained organised on a *territorial basis*, demanding *residence as a condition for access*, and are not well prepared to allow the *transfer of entitlements and payments*.

The idea of welfare is still based on a *territorially defined community of contributors and beneficiaries*. A closer look at the different types of welfare state shows that *growing mobility is a particular challenge for unemployment and pension schemes*, especially those based on pay-as-you-go funding. In most welfare states, *long waiting periods for eligibility and the lack of international transferability of entitlements punish mobility*. Whereas a growing number of households have become transnational, the welfare state still ends at its borders.

Migrants seek work, not welfare. Empirical studies have shown that welfare generosity only has a small effect on the migration decision. On the other hand, European welfare states have not lived up to expectations with regard to providing equal access to *social rights for immigrants*. On the one hand, immigrants are still confronted with discrimination and *a lack of recognition of qualifications* in the labour market, leading to lower levels of income and lower contributions to the welfare system. On the other hand, *non-citizens and*

immigrants still face de facto *limited access* to welfare provisions when compared with non-immigrant claimants.

A mobile Europe in a mobile world will need mobile welfare.

› Considering the persisting discrimination in the labour market and regarding access to welfare provisions, *improved labour market inclusion is the main challenge.* Welfare states of the future will need improved recognition of qualifications and will need to provide equal access to open positions, equal labour rights and protection against discrimination in order to allow migrants to participate fully in the economy and the funding of welfare.

› Considering the growing role of transnational employment situations and transnational households, the *transferability of entitlements to welfare provisions is a crucial aspect.* Currently, most welfare claims demand residency in the state concerned and expire when leaving for a longer period of time. Allowing the *transfer of welfare entitlements to other countries* for a certain period of time would not only improve social justice, as people would not lose their contributions when moving, but could also serve as an incentive for mobility.

› *International migration governance*, until now, has widely neglected welfare issues. In order to improve the inclusion of immigrants in sending and receiving countries, there is a *pressing need for the development of an international regime of mobile welfare* transcending the national welfare state and granting social security and the right to welfare independently of the place of residence.

9) The 'climate refugee' is not a category we can use for forward-looking policies

Based on the paper "Climate change, conflict and displacement - consequences for international protection"

by Andrew Geddes and workshops and discussions organised by ICMPD

There is no doubt that environmental and climate change can cause displacement. However, a number of other factors intervene in the *complex relationship* between *climate change, conflict and displacement* (the C-C-D triad), leading to a broader range of potential outcomes that have strong implications for policy and practice. The analysis of this relationship suggests that we need to *move away from the idea of the 'environmental trigger'*. Specifying environmental or climate change as the 'cause' of migration is not only very difficult but also not very useful, either at a conceptual or a practical level. It is obvious that there are serious protection gaps for people who are displaced by circumstances in which environmental changes played a part. Such environmental causes are easier to identify when *fast-onset changes* occur (e.g. recent tsunamis or earthquakes, which led to millions of people being displaced). But millions of people are likely to be affected by slower-onset changes that are not easily identifiable, since they always interact with economic, social, political and demographic factors.

Regarding the direction of flows, we see that *people may move towards risks* and *not necessarily away from risks*, i.e. towards new forms of conflict (caused, for example, by rapid urban development). Although this intensifies the vulnerability of those who are displaced, on the policy agenda it would appear as a matter of urban governance linked to housing, health, education and security.

Attention should also be given to people who find themselves *trapped in areas which are becoming insecure* and lack the resources to move. *Non-movement* in this case also becomes an issue of population and migration policy. For example, it can be observed that in many of the large refugee camps which have emerged in the last 20 to 30 years, governments have increasingly moved away from local integration to keeping refugees apart and in outside settlements located in areas that are subject to environmental changes (e.g. camps for Somali refugees in one of the driest areas of Kenya).

In global politics, European states will need to find new approaches to deal with issues of migration and environmental changes.

› Evidence shows that the concept of *'the environmental refugee'* creates significant *difficulties* at the political and legislative level in developing effective international standards.

› There is more scope for development in a *bottom-up approach* based on new and emerging research that specifies more closely the *relationship between climate change, conflict and displacement* and then informs *'softer' governance modes* that seek to set new agendas and build consensus.

› *International organisations* working closely with government, civil society and scientific experts can help to build an international consensus that can feed into national, regional and international responses to key issues for the future of international migration and protection.

10) The political importance of migration as a catalyst for development will grow

Based on the paper "Migration and development:
Maximising the benefits of migration for countries of origin,
destination and migrants alike"

by Oliver Bakewell and workshops and discussions organised by ICMPD

Development and migration have always been intimately *linked social processes*. Social, political and economic changes influence patterns of movement, while population distribution affects the social and economic potential of a region. Since the concept of migration and development started to appear in the international policy debate in the early 1990s, attention has lingered on a relatively small subset of migration movements – international migration from developing to developed countries – and on the development effects of migration on countries of origin. Development has also largely been understood in economic terms. The current discourse has opened up to include *broader forms of movement* – short-term mobility and migration between developing countries (so-called South-South migration) – and consequently also the effects of migration on countries of destination, including the responsibility to enable the human development of migrants. The impact of social and cultural development processes on migration, and vice versa, and addressing migration and development at the level of cities and local communities, are also receiving increasing attention in the policy debate. Recent *work on mobility has highlighted the role of cities as gateways to global markets* and therefore as a forge for migratory behaviour that demands mobility beyond borders.

The main challenge facing European states today is how to move from short-term, narrow migration and development policy responses, which (at best) are largely framed as "development in other countries", to setting more *coherent and longer-term objectives based on policy coherence for development*. This should include a web of interrelationships between migration management policies and all other policy domains that affect or are affected by people moving across borders. At the political level, and despite international commitments to enhance policy coherence for development (of poor countries) in the field of migration, migration management concerns have tended to take precedence

and migration governance rarely incorporates long-term cross-sectoral development thinking. While the management of people moving (across borders) is a technical issue, setting migration and mobility governance objectives regarding who moves, how and when demands that other stakeholders join the migration managers around the table.

Policy responses will need to move beyond actions based on external cooperation to objectives based on the long-term desired economic and social development.

› *Migration governance objectives* need to be based on a long-term development and cross-sectoral approach. This applies to all countries. Measures to ensure coherence between all policy domains and make policy coherence for development the overriding objective, which at minimum means that a policy should not harm the development of other countries, need to be put in place to support this approach.

› *Migration is a development* issue and should be seen as such in the development cooperation framework, in terms of understanding both the drivers of migration and the impact of migration on development processes and poverty reduction. This does not imply that migration should be used as an indicator of development failure or success; however, assessing mobility impacts ensures that policies are based on realistic models.

› The idea of development cooperation is fundamentally sedentary. The development industry divides the world into developing areas and, so far, there has been little room for taking into account transnational linkages, lives and journeys that cross these boundaries. The current conception of development appears ill-suited for what is likely to be a continuously mobile world, and limits the potential effects of mobility. Therefore, development initiatives should take into account *connections between different developing areas and forge new partnerships for local and regional development.*

01

Migration in the 21st Century

The Impact of Future Economic and Demographic Disparities

Rainer Münz

GLOBAL DEMOGRAPHIC TRENDS[1]

Two hundred years ago, the world population totalled just 1 billion people. Since then humanity has increased more than sevenfold. At first, demographic growth was concentrated in Europe; but during the last 40 years more than 95% of global population growth took place in emerging markets and developing countries.[2]

Today there are 7.2 billion people living on our planet.[3] An estimated 232 million of them are international migrants (= people living outside their country of birth).[4] They represent 3.0 per cent of the world's population. Among the international migrants a majority of 59% lives in the high-income countries of the Northern

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[1] An extended version of this paper has been published in the series "The Evidence Base for the High-Level Dialogue: What We Know About Migration & Development", published by MPI, Washington DC and supported by the Government of Sweden, Chair-in-Office of the Global Forum on Migration and Development (GFMD).
[2] Münz and Reiterer (2009).
[3] Population Reference Bureau (2012).
[4] UN DESA (2012); Laczko and Lönnback (2013).

FIGURE 1: PROJECTED CHANGE IN POPULATION SIZE, 2010-50

Up to -20 %
-20% to -5%
-5% -to 0%
0% to 25%
25% to 75%
75% to 100%
100% to 150%
150% to 200%
above 200%
n. a.
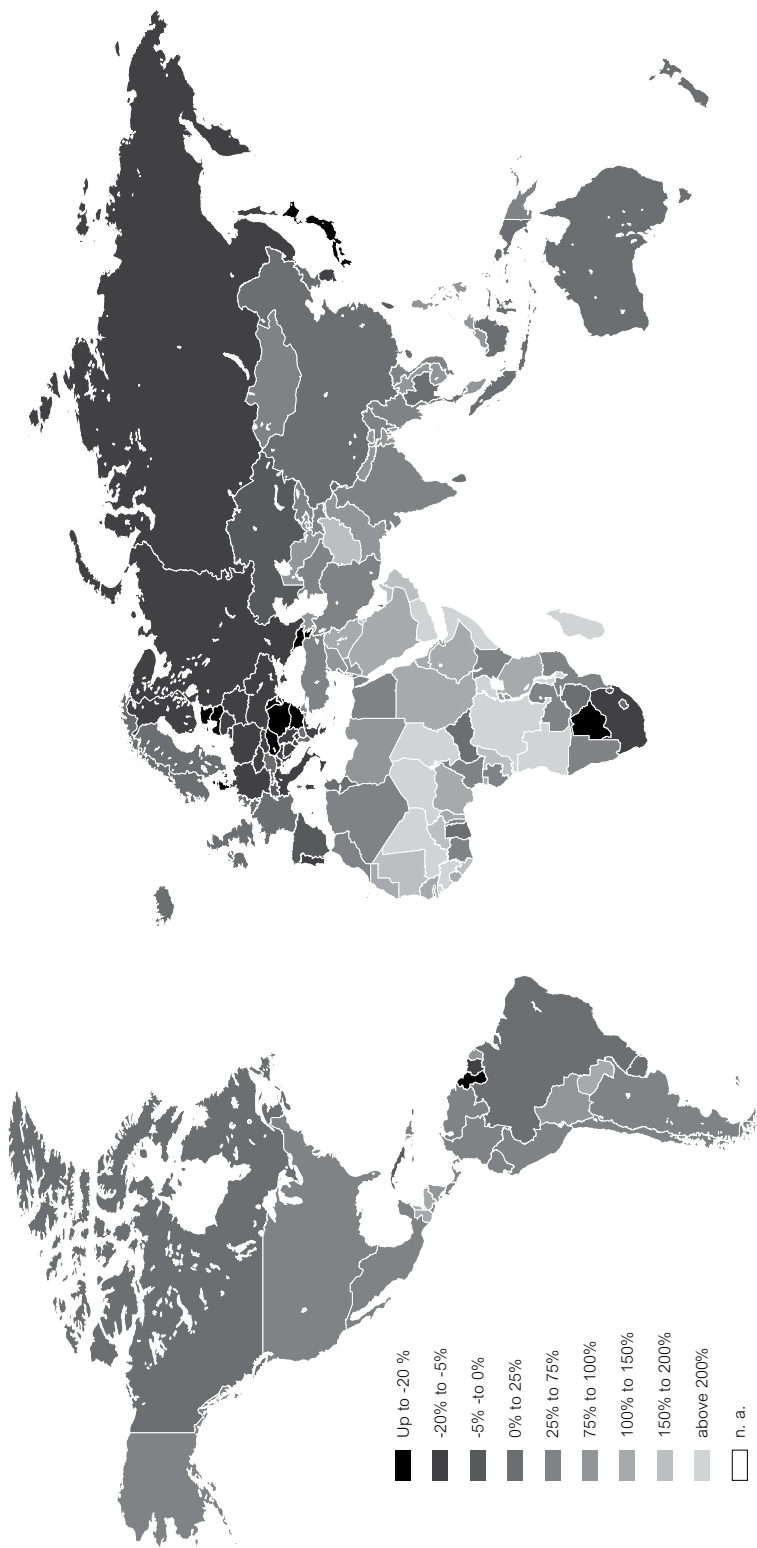
Source: Berlin Institute, 2010

Hemisphere[5], while South-South migration is gaining momentum.[6] Another 740 million people are internal migrants who have moved from one region to another within their country of birth (= 10.3 per cent of the world's population). For many people living in middle- and low-income countries, internal mobility – usually from a rural setting to an urban agglomeration – has become an alternative to emigration.[7]

Since 2000, the world population has grown at a rate of 77 million people (or about +1.1 per cent) per year.[8] The pace of this growth has been declining since the 1990s and will continue to decline over the coming decades. But the number of people living on our planet is projected to grow for another 50-70 years, reaching 9.6 billion in 2050.[9] Most population growth will be concentrated in South Asia, the Middle East, and sub-Saharan Africa (see Figure 1),[10] where high fertility and the consequences of rapid population growth remain burning issues.[11]

After peaking at 10 billion, the number of people living on our planet will start declining toward the end of the 21st or the beginning of the 22nd century.[12] In some regions and countries, especially in the Northern Hemisphere, population growth has already come to an end today. Over the coming decades, a growing number of countries will experience stagnating or even declining population sizes. In the Middle East and in sub-Saharan Africa, however, many countries will still experience rapid population growth over the next decades (see Figure 1).

The shrinking number of children per family is the main driver of reduced global population growth.[13] At first, this translates into fewer births as well as smaller cohorts of pre-school and school-age children. Eventually, the size of the working-age population also starts to shrink.

In Japan and Russia the domestic labour force is already contracting. Europe will experience the same within the next ten years, and China will begin to see its labour force decline after 2020. In Latin America the labour force potential

[5] Plus Australia and New Zealand.
[6] Between 2000 and 2013, the estimated number of international migrants in the global North (incl. Australia and New Zealand) increased by 32 million, while the migrant population in the global South grew by around 25 million (UN DESA, 2013).
[7] UNDP (2013).
[8] http://www.geohive.com/earth/his_history3.aspx; Münz and Reiterer (2009).
[9] UN DESA (2013).
[10] UN DESA (2013) http://esa.un.org/unpd/wpp/Documentation/pdf/WPP2012_HIGHLIGHTS.pdf
[11] UNFPA (2013). http://www.unfpa.org/webdav/site/global/shared/swp/2012/EN_SWOP2012_Report.pd
[12] UN DESA (2013).
[13] UNFPA (2013).

will start declining after the year 2045. Meanwhile, working-age populations will continue to grow in South Asia, the Middle East, and Africa (see Figure 2).

FIGURE 2. CHANGES IN SIZE OF WORKING-AGE POPULATION, 1950-2050
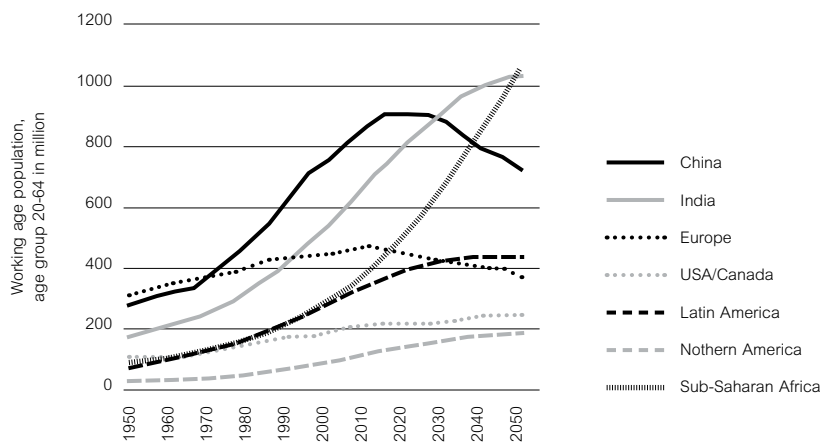
Source: UN World Population Prospects: The 2012 Revision

In addition, the richer parts of the world are already experiencing rapid demographic aging, while many mid- and low-income countries will be facing it soon. As a result, Japan and the countries of Europe have the oldest populations today – followed by North America, Australia, and Russia. But soon the momentum of global aging will shift to today's emerging markets — namely to China and Latin America. These developments are highly predictable. Nevertheless, many countries are not well prepared for rapidly aging societies and declining working-age populations. A number of experts assume that this will have a negative impact on economic growth, citing Japan as the most prominent example.[14] At the same time, declining working-age populations might create additional demand for migrant labour and skills.[15]

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[14] Shirakawa (2012). http://www.boj.or.jp/en/announcements/press/koen_2012/data/ko120530a1.pdf
[15] It should be noted, however, that this has not been the case so far in Japan, although it has the world's oldest population and has been reporting a shrinking working-age population since the 1990s.

IMPLICATIONS FOR FUTURE MIGRATION

What does this mean for international migration and mobility over the next decades?

› More countries will soon enter the global race for talent and skills. China, for example, is already actively searching for highly-qualified experts from abroad, although numbers are still relatively small.[16] In a not-so-distant future, China's declining working-age population might also create a demand for semi-skilled and low-skilled labour, effectively turning it from a migrant-sending into an immigrant-receiving country, competing with Europe, North America and Australia for workers and skills.

› Economic growth has shifted from the advanced economies to middle-income and low-income countries. According to IMF figures, the average gross domestic product (GDP) growth of advanced economies has decreased from 2.9% per year (1980-1999) to 1.8% per year (2000-2013), whereas in emerging markets annual growth has increased from 3.6% (1980-1999) to 6.1% per year (2000-2013).[17] This has practical implications for today's and tomorrow's migration patterns, as former sending countries gradually turn into destination countries.

Empirical analysis for the first decade of the 21st century shows that on average only countries with a gross national income (GNI) per capita of below US$ 9,000 had a negative migration balance (average annual net flows; see Figure 3).[18] As GNI in many middle- and low-income countries increases, the future geography of migrant-sending countries will be different.

In countries where Gross National Income (GNI) per capita exceeds US$ 15,000, net migration balance on average is positive (see Figure 3).[19] However, many immigrant-receiving countries of the Northern Hemisphere are encountering slow economic growth or even recession; and unemployment rates

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[16] The Economic Times, May 23, 2010. China to frame its first immigration law to attract foreigners
[17] Own calculations based on: IMF World Economic Outlook Database 2013.
[18] 83% of the countries with GNI per capita of below US$ 3,000 and 68% of the countries with GNI per capita of between US$ 3,000 and 9,000 had a negative migration balance (2005-2010).
[19] Among the countries with GNI per capita of between US$ 9,000 and 15,000 only 30% had a negative migration balance and among the countries with GNI per capita of above US$ 15000 only one had a negative migration balance (2005-2010).

are well above historical averages. This makes them less attractive for labour migrants and their dependent family members[20] and has already changed the direction of migration flows. For example, European countries most affected by the financial and economic crisis, in particular Ireland, Greece, Portugal and Spain, have recorded greater emigration than immigration since the year 2010.[21]

FIGURE 3. AVERAGE NET MIGRATION BALANCES (NET FLOWS)
BY AVERAGE ANNUAL GROSS NATIONAL INCOME (GNI) PER CAPITA, 2005-2010
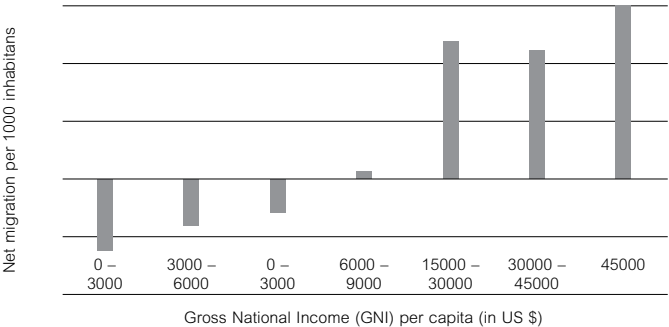
Source: Own calculations based on United Nations and World Bank data (N = 170 countries)
Note: Average annual net migration rates for 2005-2010 per 1,000 inhabitants grouped by average annual Gross National Income (GNI) per capita (2005-2010) of respective countries.

› The improving economic situation in capital cities and other urban agglome-rations of many traditional migrant-sending countries has created domestic alternatives to international migration. Usually this has to do with declining population growth as well as industrialization and the emergence of urban service sectors absorbing rural migrants. The impact on international migra-tion is clearly visible: for example, Mexico and Turkey — for decades both prominent sources of immigration to the United States and the European

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[20] Grimm (2012).
[21] Eurostat data for 2010-2012.

Union, respectively — no longer play that role.[22] Internal mobility toward the quickly developing urban agglomerations of these countries has become an attractive alternative to emigration.[23]

› By the same token, several emerging economies — including Angola, Brazil, Chile, Malaysia, and South Africa — are attracting migrants from neighbouring countries, opening up regional alternatives for mobile people who might otherwise have looked overseas for job and career opportunities.[24] At the same time, many middle- and low-income countries – such as Egypt, India, Pakistan and the Philippines – continue to have youthful and growing populations coupled with high unemployment. For citizens of these countries, emigration to neighbouring countries and overseas destinations will continue to be a welfare-enhancing alternative for quite some time.

IMPACT OF MIGRATION ON WELFARE AND DEVELOPMENT

Most mobile people manage to improve their income, their access to education or their personal security. As a result, international migration and internal mobility are usually the quickest way to increase mobile people's welfare and opportunities. As a significant part of this income is sent to close relatives or local communities back home, migration also has the potential to directly improve living conditions in migrant- sending regions and countries. In total, remittances to developing countries in 2012 amounted to more than US$ 400 billion: about three times the amount that rich countries transfer as overseas development assistance (ODA).[25] In both ways, migration and mobility significantly contribute to poverty reduction as well as increased access to education, health services, food security and in many instances also a higher degree of independence.

Over time, migrants can also become agents of change in their regions and countries of origin. Some establish trade relations; others bring back technological

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[22] PEW Research Center; Akkoyunlu (2011).
[23] The UN Population Projection even assumes that international migration (at least in net terms) will gradually disappear during the second half of the 21st century.
[24] IOM (2011).
[25] The top recipients of officially recorded remittances for 2012 were India (US $70 billion), China (US $66 billion), the Philippines and Mexico (US $24 billion each), and Nigeria (US $21 billion). Other large recipients include Egypt, Pakistan, Bangladesh, Vietnam, and Lebanon. See: http://www.worldbank.org/en/news/press-release/2012/11/20/developing-countries-to-receive-over-400-billion-remittances-2012-world-bank-report.

changes or start investing in their countries of origin.[26] In a number of countries, return migrants have played an important role in promoting democracy.[27]

With a growing demand for migrant labour and skills in aging high-income countries the welfare- enhancing effects of international migration are likely to grow. The same is true of growing formal and informal labour markets in urban agglomerations of middle- and low-income countries.

There are, however, a number of negative side effects. On the one hand migrants are at risk of being exploited individually or discriminated against structurally. Individual exploitation can take place at the hands of employers, agents or traffickers. Migrants are sometimes charged excessive commission for recruitment services, when changing money or when sending money back home. Structural discrimination is linked to labour laws of destination countries, recruitment and promotion practices of employers, or tax and social security systems collecting contributions from migrants, but excluding them from certain public services or social transfers.[28]

On the other hand, international migration and mobility are potentially causing brain drain from rural peripheries to urban centres and from low-income countries to emerging and developed economies. The socio-economic development of migrant-sending regions clearly suffers from selective emigration of younger, better educated and more ambitious people. At the same time, discrimination against migrants in labour markets of destination countries clearly leads to brain waste and over time to de-qualification.

Some of these risks can be mitigated through circular and return migration. This not only includes the possibility of reversing the brain drain. Mobile people often return with newly acquired skills, networks and ideas for investment that support development in source countries.[29] Other risks can only be addressed by setting and enforcing minimum wage levels, social protection levels and labour and recruiting standards.

[26] Newland and Tanaka (2011).
[27] For example in India (see Kapur 2010).
[28] Some of these issues are addressed in the ILO conventions no. 143 (Migrant Workers) and no. 189 (Domestic Workers) http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C143; https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:2551460:NO. It should not be overlooked that many sending countries are asking for better protection of their nationals living and working abroad without being prepared to extend similar rights to their citizens or third-country nationals working in their own country.
[29] Hugo (2009), McLoughlin and Münz (2011), Skeldon (2012).

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IMPLICATIONS FOR EMPLOYMENT AND MIGRATION POLICIES

The changing economic and demographic realities of the coming decades will have major implications for future employment and migration policies:

› Governments in countries with youthful and growing populations have an interest in reducing unemployment by enabling emigration and encouraging a steady flow of remittances. They should also try to engage their diasporas in the former homeland.

› Governments in middle-income countries with economic growth will develop an interest in facilitating return migration and preparing for future immigration of third-country nationals.

› Governments in high-income countries with aging societies and stagnating or declining working- age populations will need to invest more in sound, forward-looking migration policies. Many developed countries accustomed to easily finding the labour and skills they require will need to think more strategically about how to attract qualified workers.

› Tighter competition for skills will put more focus on the education systems of both sending and receiving countries to supply needed human capital to the global labour market. In this context mutual recognition of educational attainments and skills based on comparable standards would be extremely helpful.

› Developing middle- and low-income countries are at risk of losing native talent and skills through emigration. One way of mitigating this risk would be for countries to form long-term recruitment agreements that include a commitment by migrant-receiving countries to invest in the educational systems of particular sending countries. This should be done to improve the quality of education and to increase the number of graduates. Receiving countries should help develop and broaden the skills base before attracting or recruiting large numbers of skilled migrants.

› However, international migration remains only one possible answer to future mismatches between supply and demand of labour and skills. Countries with aging populations must also consider other policy options to protect the size of their shrinking workforces — such as increasing the retirement age and the labour force participation of women. At the same time, countries

and regions with youthful and growing populations will have to continue their efforts to unleash their economic potential and to create jobs.

Increased demand for labour and greater global mobility of human capital will make it ever more important for sending countries to invest in protecting the rights of their citizens living and working abroad. For sending countries the aim is clear: they should encourage receiving countries to implement labour laws as well as minimum labour and social security standards that apply to natives and immigrants alike. At the same time, such a non-discriminatory approach will make receiving countries more attractive in the future race for talent. Sending and receiving countries should also reach agreement on minimum social security coverage for migrants as well as on the portability of acquired rights and benefits.

Cooperation at the bilateral, regional, or even multilateral level offers policy makers at all points of the migration process — sending, transit, and receiving countries — the opportunity to craft smarter policies that aim to create mutually beneficial solutions and mitigate the risks of migration. However, while most sending countries have adopted liberal migration policies facilitating travel and emigration, receiving countries see migration control as a key element of their sovereignty. As a result, immigrant-receiving countries generally have "unilateral" admission policies which are aligned neither with other receiving countries nor with other sending countries. Bilateral agreements or mobility partnerships thus play only a minor role in most migration policy making.

Consequently there are very few occasions for representatives of sending and receiving countries to share their views or to find common ground — unlike the international dimension of policy making on trade, energy, or climate change. As global patterns of mobility shift, governments should look for new opportunities to collaborate on migration that will support economic growth in both sending and receiving countries.

Lack of cooperation between migrant-sending and immigrant-receiving countries increases the costs of migration and decreases the positive effect on socio-economic development. Direct (and sometimes excessive) costs relate to visa and passports, recruiting and travel agencies, exchange commissions, fees of money transfer companies, etc. Indirect costs are related to labour market discrimination leading to lower income (compared to native workers with similar skills) and to reduced portability of acquired social rights and benefits

leading to lower (or no) pension payments, lower health insurance coverage and reduced access to unemployment benefits.

Future migration policies should aim at reducing direct and indirect costs of migration. At the same time, they should aim at maximizing the possible bene-fits of migration by reducing wage discrimination and employment of migrants below their skill levels. Better jobs and higher wages for migrants will directly translate into higher remittances.[30]

We can assume that the global competition for qualified and skilled workers will become stiffer in the coming decades, which will in turn expand the range of employment opportunities for people living in youthful and demographically growing societies. However, the sharpened competition for talent also increa-ses the risk of disrupting the development of middle-income and low-income countries due to the emigration of native talent and skills (brain drain).

Regardless of the route governments choose, many policies that address de-mographic change and the subsequent fundamental shifts in labour supply require a time horizon well beyond an electoral cycle. It is therefore crucial for decision makers to consider and invest in long-term solutions that can be adapted to meet the changing needs of their economies and societies.

SUMMARY

There are currently 7.2 million people living on our planet. In the course of the 21st century the size of the global population will rise to 10 billion. Today, one billion people have either moved from their countries of birth to another country or to another province within their countries of birth.
In the future even more people will become mobile. The main reason for this is economic and demographic disparities that will shape the mobility of labour and skills during the 21st century.

Demographic change in the 21st century will be shaped by decreasing birth rates and increasing life spans. These two trends — although largely unrelated — together contribute to demographic aging on a global scale and will have

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[30] Bollard et al. (2011).

ramifications for future economic output, future labour markets and welfare systems (at least in countries where such systems exist).

Richer societies in Europe, North America and East Asia are already experiencing population aging. In the future many rich countries will be confronted with a stagnation or decline of their native workforces. The same will happen in some emerging economies, namely in China. At the same time, working-age populations will continue to grow in other emerging economies and in most low-income countries.

International migration and internal mobility are one way of addressing growing demographic and persisting economic disparities. People will continue to move from youthful to aging societies and from poorer peripheries to richer urban agglomerations. The current geography of migration will, however, change. On the one hand, emerging markets with higher economic growth will provide domestic alternatives to emigration. On the other hand, some of them — including China and Korea — will enter the global race for talent, and may become more attractive destinations for workers than some of today's immigrant-receiving countries now enduring slow growth and high unemployment rates.

The majority of mobile people manage to improve their income, their access to education or their personal security. At the same time, many of them contribute to the welfare of their regions of origin by sending money to members of their family or local community. Migration and geographic mobility are the single most efficient ways of lifting people out of poverty or increasing their income by giving people better access to formal and informal labour markets. It should not be overlooked, however, that migrants are at risk of being exploited individually by employers, agents, and traffickers or discriminated against structurally by labour laws, employment practice and social security systems.

The implications for policy makers are substantial. First of all, receiving countries will have to invest more in developing smart migration, integration and non-discrimination policies. Secondly, cooperation in crafting migration policies at bilateral or regional level should become a standard approach. In this context, migration policy should not only be seen as a tool to bridge labour market gaps, but also as a tool of global development.

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REFERENCES

Akkoyunlu, S. 2011. Economic crisis and remittances to Turkey. In: Sirkeci, I., Chen, J. and D. Ratha, (eds.) Remittance Practices and Migration during the Global Financial Crisis and Beyond. Washington DC: The World Bank.

Berlin Institute. 2010. Europe's Demographic Future. Berlin.
http://www.berlin-institut.org/fileadmin/user_upload/Europa/Kurz_Europa_e_Map.pdf

Bollard, Albert, David McKenzie, Melanie Morten, and Hillel Rapoport. 2011. "Remittances and the Brain Drain Revisited: The Microdata Show That More Educated Migrants Remit More". World Bank Economic Review 25 (1): 132–156.

Castles, Stephen and Mark J. Miller. 2009. The Age of Migration: International Population Movements in the Modern World. 4th ed. New York, NY: Guildford Press.

Grimm, M. 2012. Demographic challenges: Immigration and integration – an EU perspective. Economic Research & Corporate Development Working Paper no. 158 / December 10, 2012.

Hatton, Timothy, J., and Jeffrey G. Williamson. 2002. What Fundamentals Drive World Migration? Centre for Economic Policy Research (CEPR) Discussion Paper no. 3559. London: CEPR.

Hugo, Graeme. 2009. Best Practice in Temporary Labour Migration for Development: A Perspective from Asia and the Pacific. International Migration, 47 (5): 23-74.

International Organization for Migration (IOM). 2011. World Migration Report 2011. Geneva: IOM.

Kapur, Devesh. 2010. Diaspora Development and Democracy: The Domestic Impact of International Migration from India. Princeton: Princeton University Press.

Laczko, Frank and Lars Johan Lönnback, eds. 2013. Migration and the United Nations post-2015 development agenda. Geneva: IOM.

McLoughlin, Sheena, and Rainer Münz, eds. 2011. Circular Migration. Opportunities and Challenges. Brussels: European Policy Centre.

Münz, Rainer, and Albert F. Reiterer. 2009. Overcrowded World? Global Population and International Migration. London: Haus Publishing.

Newland, Kathleen, and Hiroyuki Tanaka. 2011. "Mobilizing Diaspora Entrepreneurship for Development." Migration Information Source, November www.migrationinformation.org/Feature/display.cfm?ID=860.

Organization for Economic Cooperation and Development (OECD). 2013. International Migration Outlook 2013. Paris: OECD Publishing. www.oecd-ilibrary.org/social-issues-migration-health/international-migration-outlook-2013_migr_outlook-2013-en.

PEW Research Center. 2012. Net Migration from Mexico Falls to Zero – and Perhaps Less. Washington DC (Report available at www.pewhispanic.org).

Population Reference Bureau. 2012. 2012 World Population Data Sheet. Washington DC: PRB. www.prb.org/pdf12/2012-population-data-sheet_eng.pdf

Shirakawa, Masaaki. 2012. Demographic Changes and Macroeconomic Performance: Japanese Experiences. Tokyo: Bank of Japan. http://www.boj.or.jp/en/announcements/press/koen_2012/data/ko120530a1.pdf

Skeldon, Ron. 2012. Going Round in Circles: Circular Migration, Poverty Alleviation and Marginality. International Migration, 50, 3, pp. 43-60.

The Economic Times. 2010. China to frame its first immigration law to attract foreigners (May 23, 2010).

UN DESA, Population Division. 2009. International Migrant Stock: The 2008 Revision. New York: UN. http://esa.un.org/migration/index.asp?panel=1.

UN DESA. 2012. Trends in international migrant stock: Migrants by destination and origin (United Nations database, POP/DB/MIG/Stock/Rev.2012): New York: United Nations, Department of Economic and Social Affairs, http://esa.un.org/MigOrigin/

UN DESA. 2013. World Population Prospects: The 2012 Revision, Volume I: Comprehensive Tables ST/ESA/SER.A/33. New York: United Nations, Department of Economic and Social Affairs

UNDP. 2013. Human Development Report 2013: The Rise of the South. New York: UN. http://hdr.undp.org

UNFPA. 2013. The State of World Population 2012 – By Choice, Not By Chance: Family Planning, Human Rights and Development. New York: UN.

02

Grappling with supply and demand

Present and future labour market needs, and labour and skills demands in specific countries, sectors and occupations

August Gächter

THE DEVELOPMENTALIST FRAMEWORK OF POLICY MAKING

The balancing of supply and demand in the labour market has been a key issue in policy making in Europe since at least 1945. It has been a key issue because it is at the intersection of public policy and private concerns. The public policy concerns are developmental, i.e. they are concerned with uniting economic growth with social cohesion and political peace (Cowen/Shenton 1996), but also fiscal, and of course they are also about winning elections. The private concerns are largely about access to stable and sufficient sources of income as the sole legitimate means of attaining a respectable life in the community.

In the effort to match supply to demand in a developmentalist framework, labour migration has most often been presented as a measure of last resort. This keeps being done partly in order to appease the private concerns over income opportunities and wages, as these could endanger peace and cohesion. In some countries more, in others less, voters and policy makers alike tend to

indulge in zero-sum thinking, believing that additional population will damage their own prospects. Consequently they will first try to keep migrants out, then to keep them out of the institutions, and finally to obstruct their (children's) way from the bottom and the fringes into the centre of society. In other words, at each juncture voters will tend to opt for unilateralism on the part of the receiving country in an effort to exclude migrant workers or their country of origin from decision making (Penninx/Roosblad 2000). Nonetheless, governments and social partners have needed to agree to or quietly condone the immigration of workers on account of developmental concerns. This happened when they put off countering inflationary pressures arising from excessive wage growth for too long. The excessive wage growth, in turn, resulted from a shortage of labour. Once they needed to act rapidly, immigration was the only quick way of enlarging the supply of labour.

LABOUR SHORTAGES

Acceptance for the employment of workers not hitherto resident in a territory is often sought by arguing that there is a shortage of workers, or at least of suitable and readily available workers. The ensuing argument usually makes clear that the meaning of "shortage" can be elusive and that opinions on how to deal with a shortage in the labour supply can be divided. In the run-up to the 85th International Labour Conference (1997) Roger Böhning drew up a manual on the employment of non-citizen workers. In it he differentiated between absolute and relative shortages of labour, a conceptual difference that has informed policy in a number of countries.

› "An absolute shortage means that a country simply does not have a sufficiently numerous population, its socio-economic development may not have drawn enough people into gainful economic activity, or its education and training systems may not have produced (or not yet have produced) particular skills or qualifications. In other words, the requisite population or skills are not now physically present relative to the given technological and production possibilities, nor will they be so in the foreseeable future" (Böhning 1996:12). He noted that absolute shortages usually affect an entire economy, although they may be specific to particular occupations, if the demand for certain skills suddenly outstrips supply. This provided for a distinguishing characteristic of an absolute shortage: "Mobility incentives would not be able to attract national workers from within the country because the workers are insufficient

in number, and will remain so until such time as the education and train-ing system has caught up with current economic requirements" (Böhning 1996:12).

> "A relative shortage obtains where, although there are sufficient numbers of nationals on the country's territory, they are unwilling to fill all the vacancies offered by employers in the quest to satisfy their production needs. Economic and social determinants rather than population phenomena are responsible for this unwillingness" (Böhning 1996:13). Relative shortages do not usually affect a whole economy but are restricted to certain sectors, occupations, re-gions, employers, "or simply due to the fact that citizens of well-off societies are economically in a position to shun bottom-wage dead-end jobs and to work in others or get by through other means" (Böhning 1996:13). "In prin-ciple", he added, "relative shortages can be tackled by appropriate wage and mobility incentives, by the reorganisation of the production process and sometimes by automation or relocation of the work abroad. In practice there are considerable limits to all these alternatives …" (Böhning 1996:13). A shortage of unskilled labour in the construction sector, for instance, cannot usually be compensated by raising female labour force participation rates or by altering the pension age. In other words, real world limitations can convert relative shortages into absolute ones.

Böhning's implied suggestion is that the only growth-preserving solution to ab-solute labour shortages is immigration of workers, while relative shortages may be better resolved by other means.

These definitions rely for their key distinctions on the time horizon of remedial action and on the relevance of state territorial borders. Both of these criteria leave room for negotiation as to whether a shortage is absolute or relative. As noted above, a shortage that would have been relative if dealt with in its early stages can become absolute when the time needed to mobilise internal resources is no longer available. Furthermore, regional shortages will often be perceived as absolute even if there is ample supply in the country as a whole, especially if a region is considered to be distinctive. Generally, if there appears to be a ready supply abroad, employers will tend to argue that any shortages they experience are absolute because creating an internal substitute for the immediately available external supply would take some time. Furthermore, a negotiated agreement on the status of a shortage and the appropriate rem-edy is often possible between employer organisations and trade unions, but

the individual employer usually has no such counterpart; if not in agreement with the social partners' settlement and not well integrated with social partner organisations, he or she may seek his or her own solution, resulting in unlawful immigration, unlawful employment, and possible undercutting of employment conditions, including wage standards.

Böhning surely had his ideas on how to recognize an absolute shortage in practice, but said nothing about it. The historical record suggests that wage offers by companies that are likely to be in excess of medium-term levels of productivity in a particular industry and region are a fairly safe indicator. Claims by individual employers should be evaluated carefully and settlement at social partner level should be supported politically. Individual employers should receive counselling on how to put settlements into practice and should be supervised in the process. Settlements and their implementation should be subject to periodic reviews at short intervals, i.e. quarterly, sometimes perhaps monthly, as well as at longer intervals of one or two years. Short-term solutions must be found but should always be put in a longer-term context.

WORKER MIGRATION TO PRE-EMPT LABOUR SHORTAGES?

Shortages, when they arise, are often indicators of both success and failure, i.e. when they are caused by a combination of favourable changes in the labour market and poor foresight or poor policy. One might then go on to ask: Is it desirable for a society to have shortages before migrants arrive or would it be better to pre-empt them by having migrants arrive before any shortages can arise? Economically speaking, the answer will in most instances probably be a preference for the latter. Although the former might at first seem less risky politically, there is a danger that very large shortages would suddenly have to be compensated for. Worker immigration, rather than being a constant trickle, could then become a sudden rush, with very different consequences.

EU governments have generally been fortunate, since 1945, in being forced to accept considerable flows at fairly regular intervals that have sheltered them from having to open the borders by political fiat. Thus they have rarely had to worry about labour shortages. For one thing, worker migration, once initiated, has a tendency to perpetuate itself. Secondly, refugee arrivals, though not necessarily in sync with business cycles, have provided the needed labour. Third, migration intended to be temporary has resulted in permanent settlement and

thus in births from which ensued an additional supply of domestically educated young workers. Fourth, the planning of domestic resources has taken on a longer-term perspective, i.e. the average age at labour force entry, the average pension age, and participation rates between these ages are now the object of legislation decades ahead. A fifth element is the management of unemployment, i.e. using periods of unemployment for education, training, and new experiences, and introducing measures to ensure that certain categories of job seekers are not discriminated against.

CHALLENGES TO UNILATERALISM

The starting point of Böhning's considerations was that the receiving country is free to choose whether, how much, and which immigration it wants to have. This unilateral conception of labour migration finds its challenges in the actions of origin states, on the one hand, and in autonomous worker (and employer) behaviour on the other. For instance, origin states have at times tried to prevent the recruitment of workers, especially skilled or specialised workers, or made emigration extremely difficult or even unlawful. In other words, they were trying to prevent shortages on their part. The most prominent example of the latter was the Iron Curtain, while examples of the former were provided by restrictions in place in the former Yugoslavia and the ban on the recruitment of coal miners in Turkey (Abadan-Unat 2005). Unilateralism on the part of both receiving and origin countries was therefore an important element in the structuring of labour migration in Europe until the late 1980s. West of the Iron Curtain, most of the uncoordinated, potentially confrontational unilateralism was soon transferred to negotiated bilateral action between origin and recruiting countries (Abella 1997; Böhning 1996; ILO 1996; OECD 2011, 2013).

If the in-migration of workers is considered to be basically detrimental and admissible only as a measure of last resort, trouble starts brewing once potential workers outside a country's borders appear to be obtaining the opportunity to make migration their own decision without effective interference from the destination state. By far the largest such challenge has arisen from freedom of movement in the EU and EFTA. Currently the most effective means of privileging citizens of certain states has become the granting of EU membership. This has been done piecemeal in that in any enlargement only working age populations of limited size were made EU citizens. In 1990, when the former GDR came into the EU, a working-age population of a mere 10 million or so was

added; in the EEA Agreement effective 1994 it was about 20 million, in the 2004 enlargement about 50 million, in the 2007 enlargement about 20 million, and less than 3 million in the 2013 enlargement. The 1994 creation of an integrated EU/EFTA labour market was not expected to have any noticeable migration consequences, while the later ones were. An unusual effort was made, after 1995, to predict the labour migration effects of adding Eastern and Central European states to the EU. The effort turned out to be that much greater as the existing database was hardly helpful. When the enlargements came they equalled about 22 per cent of the EU15 working-age population in 2004, about 8.5 per cent in 2007, and about 1 per cent in 2013, adding up to close to one third of the EU15 working-age population over a period of 10 years. From an EU15 point of view, this entire addition was potentially available within the EU15. The migration studies preceding the enlargements had been focused on the question of how many migrants would make themselves available in the EU15 at their own initiative (and expense), but the unspoken EU15 assumption was that a much larger number than presented in the studies could potentially be made available if the need arose.

The immediate acceptance of free movement of workers, once it came into force, is noteworthy. Granted unconditionally, there was no questioning it. Only in Switzerland, where the treaties with the EU allow for limited, specific revocations, has there indeed been pressure to invoke the clause, sufficiently so that in 2013 the government bowed to the pressure.

Clandestine migration is another far smaller challenge to unilateralism. The EU and EFTA states tolerated and even encouraged autonomous migration – be it migrant- or employer-driven – when it helped to fill their labour needs, yet started to take strict measures against it as soon as the available labour pool within Europe appeared to exceed their short-term needs. This happened after 1985, when the Iron Curtain began to crumble and eventually collapsed. At that moment, the EU and EFTA situation appeared to shift from a dearth of workers available nearby to a glut, not only because workers from the former Communist countries might be willing to migrate, but also because the countries could now be transited by migrants from countries beyond. A similar situation might arise if the Middle East were to become more passable again than it has been for the past several decades.

Thus, by the mid-1990s, the labour migration picture in Europe was very different from ten years before. States now saw themselves as fending off labour migration rather than facilitating it. The Schengen System, first conceived in 1985, had been put in place, permitting fairly tight control of border crossings into and out of the EU. The mid-1990s were also a period of low economic growth that saw very little labour migration into the EU15 and EFTA countries.

It was at this point that labour migration made its entrance into high politics, not only in EU relations with Eastern Europe, but also with its southern neighbours. A whole range of issues first mooted in the 1960s concerning the theoretical linkages between emigration and development began to receive renewed attention: Does the emigration of young workers harm the economic prospects of the origin areas? Is any detrimental effect exacerbated if the emigrating workers have received more education and training ("brain drain")? Do emigrant workers fulfil a developmental role by remitting money, knowledge, and tastes back to their home country, and by eventually returning? How can return flows of this kind be strengthened, and how can their positive impact be enhanced? If workers cannot be made to return, how can they be connected with institutions and organisations in the origin area in ways that will facilitate transfers of skill and experience? In practice, little money was put into answering these and other questions empirically. Only bits and pieces of the required research infrastructure existed in EU member states, much less in the origin and transit countries, and its creation would have demanded a sustained effort over a long time. Research capacity and capability cannot be brought into being overnight.

A struggle ensued when European governments began to contaminate the terms of aid programmes with a demand for leniency in the forcible return of migrants who had overstayed their visas or had never had a visa, and also a demand to stop condoning transit migration toward Europe and to use police measures against it. In retrospect it is evident that the interest in the developmental issues was fairly short-lived, while the policing issues have become firmly rooted in the agenda. This is perhaps not least because development is an indirect means of coming to terms with migration. It takes time, is gradual, and is prone to setbacks, while policing measures are direct and immediate. The police also became the arena where empirical research was in fact situated, though, of course, without any benefit to or control by the public or the wider research community.

FORESIGHT: DEVELOPING NEW SUPPLIES IN TIME

The north-south bilateralism in Western Europe eventually unravelled concomitantly with three intersecting processes. The first was the uncertainty about future labour demand following the economic crises of the mid-1970s and the early 1980s. The second was the depletion of the rural labour supply in most of the southern countries, though not all, and the third was the changed political geography that made workers in eastern countries accessible for recruiting. These workers were not redundant agricultural labour, as they had been around the Mediterranean, but trained, urbanised industrial craftspeople and service sector workers looking for better wages or leaving abruptly deindustrialising regions. The combination of these developments led to south-north labour migration being supplanted by east-west flows. Short distances, extremist policies, deep recessions, and an uncertain future motivated workers to try migration, although almost all the origin countries are now net immigration countries. With prospects brightening these flows might come to a sudden stop, yet with a serious political crisis they might swell considerably.

Smaller EU and EFTA member countries with less widely spoken languages or a poor reputation have always needed to actively recruit workers rather than being able to rely on self-directed worker migration. Partly they took in UNHCR-processed contingents of refugees and partly they recruited within the EU. There is perhaps a shade of irony in the fact that, contrary to assumptions, the 1994 integration of EU and EFTA labour markets turned out to have significant migration consequences. The former EU12 quickly became the target of successful recruitment efforts by the seven countries that had made up EFTA until the end of 1994. This involved workers of all levels of qualification, but given qualification structures in the EU12 they were mostly middle level. The ensuing flows were still moderate during the year 2000 boom, but really took off after 2004. Austria, Norway and Switzerland were the main recipients. The workers were accompanied by significant student outflows from Germany that also contributed to the labour markets in receiving countries.

The 2008-2009 crisis and its Eurozone aftermath raised expectations of a new, more highly-skilled labour migration from the hard-hit Mediterranean EU member countries to those farther north. As usual, what small signs there were of this taking place were substantially exaggerated in the media. In order for it to become a sizeable and lasting phenomenon the crisis in the south will need to be protracted and some explicit recruiting will be necessary to set the train

in motion. The reality is rather that a new south-north migration may well be on the cards, but from beyond the Mediterranean. The signs are that once it takes off it will initially be comprised of workers with a mix of education levels but only small percentages of industrial or crafts skills. It will be down to European societies to turn the potentials of this migration into skilled employment. For the time being, however, migration from North and sub-Saharan Africa is being impeded partly by severe natural obstacles, i.e. sea and desert, and partly by the conflict zone in the Middle East. The conflicts, meanwhile, keep providing for an alternative source of labour.

CREATING SHORTAGES?

Asia rather than Africa is the place being looked to for migration considered to be desirable: "Most OECD countries expect Asia to be the primary source of skilled migration in the future and in many of these, China and India are already the main sources of skilled migrants" (OECD 2012). "This is equally true in Germany, where Asian migrants – especially from India – make up a large share of the incoming labour migrants from non-EU/EFTA countries, even relative to other European OECD countries … with 80% of IT workers, 60% of other skilled workers, and 75% of intra-company transfers coming from Asia. Most IT workers and skilled labour migrants are Indian, many of which work for multinational firms or on contracts, while Chinese nationals are numerous among specialised intra-company transfers, often for training, and among the graduates of German universities staying in Germany" (OECD 2013:123). Evidently investment has been generating migration, and regulations privileging intra-company transfers were tailored to the requirements of large domestically owned companies.

While this is the present, the future may be quite different. In the longer run Europe will likely encounter pronounced Asian competition for workers. China alone will eventually require between 50 and 200 million workers over a short period of time. Of course they will initially be sourced from nearby countries, and most of the migration will likely be undocumented. This has already begun. But the region is not able to supply the entire demand, so Europe will be facing Asian competition in labour markets outside Asia as well, and this at all skill levels.

The Asian scenario may still be decades away. Closer to home, European governments have been hard at work trying to cut off the constant trickle of labour supply from outside the EU/EFTA countries. If inhibiting inflows of workers under

all kinds of pretexts, especially security, were to become any more successful than it has been, it might eventually be capable of producing shortages. It would be advisable to push the reset button in migration policy making and remove migration from the purview of ministries responsible for security. They should be heard, but they should not decide. The social partners and government offices for economic affairs, labour, social security, and justice should have far more weight in migration affairs than they currently do in most European countries. Regions and towns should have more say in permanent settlement.

There have been various efforts at measuring the legal obstacles to migration, settlement, and inclusion, with broadly similar results (most recently Koopmans et al. 2012; but see the earlier instances they cite for methodological alternatives). They show that over the last three decades regulations in Europe have by and large become considerably more restrictive without becoming more uniform.

Employers, on the other hand, are a less reliable source of information on the difficulty of hiring workers from abroad. As noted by the OECD: "A measurement of the perception of Germany as a destination is provided by an international survey covering executives, prepared annually for the World Competitiveness Yearbook. The respondents were asked whether they think that "immigration laws prevent their company from employing foreign labour". This view is relatively widespread among German executives. / However, the ratings appear to reflect economic conditions more than actual policies. The introduction of Sweden's liberal migration regime, for example, had little effect on employers' perceptions, while sustained economic growth in Brazil or Norway – in the absence of policy change – changed the perception substantially" (OECD 2013:120). This looks like sour grapes in reverse: the supply is accessible but we wouldn't know how to use it and thus we claim we can't get it.

THE TEMPORARINESS OF MIGRANT WORKERS

"We called for labour and received humans", writer Max Frisch noted in the mid-1960s, when Switzerland, to which he was speaking, had been recruiting workers abroad for about 15 years and official policy remained firmly entrenched in the rotation paradigm.

The unilateral conception of labour migration tends to be bound up with an ideal of temporariness, and many European governments seem to keep entertaining

the idea that it might yet become possible to have migrant labour without migrants. Temporary worker schemes seem attractive because workers could be extradited at the end of their employment term or upon becoming unemployed, and their subsequent unemployment would not show up in the national data. Nor would their children use the national school system or the migrants themselves the national health system, especially not in old age. Despite a string of past failures, temporary employment schemes keep being discussed whereby workers are supposed to spend a predefined period of a few years in the EU and be obliged to leave once their time is up. In order to ensure return the schemes are becoming ever more technology intensive. Human rights issues have begun cropping up, not only regarding the right to family and social life but also on the privacy front.

In recent years, EU15 countries have been banking on intra-EU migration turning out to be circulatory. Freedom of movement will bring in workers but will not force those out of work to stay for fear they might not be able to come back at a later date, and rapid economic growth in the origin countries with the concomitant improvement in employment opportunities and wages will eventually make workers return for good. Such thinking is fraught with contradictions. Interdependence within the EU will tend to synchronise labour demand in most of its parts. Return migration from one labour market in crisis to another is unlikely. Return migration during a boom might in fact be more likely, but hardly welcome from the perspective of the current country of employment. The facts are that the labour force with citizenship of other EU member states in EU15 countries grew continuously over the entire period for which there are data, i.e. from 2005. It grew least in 2009 (0.9 per cent) and most in 2007 (4.2 per cent), and as much in 2011 as in 2008 (2.1 and 2.0 per cent, respectively). The pattern does suggest that there may have been increased return migration during the crisis, but not enough to offset the continuing inflow.

Each time the economy slowed non-EU15 citizens became unemployed but did not leave the country of employment. Thus the labour force, i.e. the sum of employment and unemployment, did not shrink. With new immigration and with school-leaving labour force entrants exceeding the number of new pensioners, the labour force kept growing. In fact, the non-EU15-citizen labour force in the EU15 has never once decreased since 1995. At its lowest pace, in 2012, it grew by about 200,000, most of it in Italy. The greatest increases were recorded between 2005 and 2008 with an average of more than 1,000,000 per year. Between 2001 and 2004 it was about half that, and likewise in 2009 and 2011.

Only in 2000, 2010, and 2012 was the increase less than 300,000. The compound growth rate from 2006 to 2012 was 4.55 per cent annually.

Interestingly, the growth of the non-EU15-citizen labour force in the EU15 has tended to slow down before the peak of the economic cycle is reached and to speed up again early on in any recovery. This does not look like last in, first out, as would be demanded by citizen preference. It is not, however, an untypical pattern for the construction industry.

From experience voters know perfectly well that temporary schemes lead to permanent settlement. In fact, even if successful at rotation a government will always have a hard time convincing voters of this success. This is unavoidably so because voters never experience any such success. They experience neither the coming nor the going, only the presence, and unless migrants were all compelled to wear an RFID chip signalling to any passer-by's cell phone how many days they have been staying in the country and how many days remain until their departure, voters have no way of telling who is a recent arrival and who is near the end of their term. You cannot convince voters of temporariness as long as they experience presence.

THE AGE CHALLENGE

Migrants are typically between 18 and 38 years old. They slow a society's aging. However, the age gap between migrants and natives exacerbates the antagonism between the two groups. Given the aging of receiving societies and the age constancy of migrants this gap has been widening. This is a new challenge that did not exist in the case of earlier migrations. There are far more older people and far fewer younger people in receiving societies than there were 50 or 100 years ago.

SKILL DIFFERENTIATION AND ITS SUCCESS

High skills
Differentiation by skills in labour migration policies became ubiquitous after 1990. Originally dubbed "brain drain", in the 1960s it had primarily been an emigration rather than an immigration issue. Following the educational expansion of the 1960s to 1980s, younger workers in EU countries with worker immigration

tended not to be totally unskilled any longer. Low-skilled workers, who had pre-viously been a majority and politically central, gradually became minoritized. In the process they became more vulnerable and politically more irritable. In as far as they were country citizens, skills differentiation became a means of commu-nicating to them that they would be protected from competition in their labour market. For non-citizen school-leavers with little education and no occupational training the policy became a signal of their unwantedness.

During the year 2000 IT bubble, the immigration of "highly-skilled" workers was introduced as a policy issue. IT workers were succeeded by health profession-als, both in the medical and in the care segment. At the same time, the frequent employment of highly-trained workers in menial tasks, especially in southern EU countries including Austria (Krause/Liebig 2011), became evident.

If language is either a legal requirement or a de-facto requirement of employers, English, French, and Spanish courses are more accessible than others. Ger-man courses are more easily accessed within the EU/EFTA than outside (OECD 2013:126). Opportunities for learning Italian, let alone the languages spoken in smaller countries, are even fewer.

Complicated and/or frequently changing immigration rules are a serious ob-stacle to immigration, as are divided, shifting, or poorly defined competencies. Providing (online) information only in the country's main language, and not also in languages widely spoken in potential origin countries, is a good way of min-imising official migration. Employer organisations not offering easily accessible and reasonably complete and up-to-date information is a sign of reduced in-terest in recruiting skilled workers from abroad (OECD 2013:124). Trade unions not providing such information is a sign they are not prepared for contact after arrival and settlement either.

Leaving a steep and rocky pathway for "highly-skilled" workers but finding there are few takers, governments in some countries have been putting in place what they billed as "fast track" procedures or "one-stop shops". These are efforts at making the path less rocky while leaving it just as steep. To some degree, steepness is relative. The rules and procedures for highly-skilled, highly-qual-ified, highly-educated, or simply highly-paid workers may not seem steep rel-ative to those in the same country pertaining to other workers. They might well seem daunting, though, in relation to those of other countries. And it is not just the workers. If they also have to drag their spouse and/or children up the path,

or up an even steeper and rockier path, and if they have to do so unaided, they might well decide not to bother. Finally, it is also a question of what the benefits of the effort can be expected to amount to, and again not just for the worker concerned but also for their spouse and children. Just consider a few language examples. What is the benefit of learning Danish, Finnish, French, German, or Swedish, not to mention a few others? If you have the choice, why would you lock your or your children's future into one of these languages? And why would you want to suffer decades of disadvantage at work and in public for no other reason than an occasional grammatical mistake or even merely a slight accent? You wouldn't, unless there is some ulterior motive in which the present far outweighs the future. So obviously, almost all European countries, if they were serious about wanting to attract highly-skilled workers, would have to allow entry and settlement at a substantial discount relative to a number of other countries. They might even have to pay for immigration by offering free language tuition during paid working time, occupational adaptation courses during paid working time, credible full-scale protection against discrimination, and last but not least very generous conditions for family including parents. As it is, the skilled worker provisions in Europe do not appear to have been made to be taken seriously. As in some other areas of European policy making, it is merely a pretence at policy. It should be acknowledged that this state of affairs is perfectly in keeping with developmentalism, where skills are to be created purposefully within the given population, not by adding population.

Why, then, have European countries been going through the motions? On the one hand there is a "follower" group of countries, comprising most of the richer ones, which are compelled to participate in global competition because they are home to globally operating companies. Their behaviour regarding the migration of highly-skilled or highly-paid workers is largely imitational and only loosely connected to present reality in the employment system. They put in place special provisions for the highly skilled or highly paid to appease demands from a number of industrialists or to provide for a future eventuality. Secondly, there is a "taboo" group of countries where considering immigration even hypothetically remains anathema for the national electorate, regardless of whether there is a need for it or not. These are the poorer countries (EMN 2011) and also regions in richer ones that have not been faring well or feel ill-treated, either by the government or by competitors.

No demand for low-skilled workers?

It is surely an illusion to believe that the demand and the need for capable low-skilled workers has disappeared, or is about to do so. Most governments in the EU have been working hard to make sure that as few young people as possible enter the labour market with no more than a basic education. At the same time, the number of low-skilled jobs, though affected by the business cycle, has essentially been stable. More education could even exacerbate the problem. If having obtained more than a basic education is understood to mean obtaining an entitlement to a job that is not on the lowest rung of the occupational hierarchy, European states in the foreseeable future will be left with an internal workforce containing hardly any candidates for menial or highly-repetitive jobs, much less for seasonal employment. Indeed, the number and percentage of workers available for taking orders from middle-level superiors may start to shrink. In consequence, the need for unskilled migrant workers is likely to increase. Governments are currently far from admitting any such possibility, which in turn is likely to (continue to) foster migration outside the legal channels.

The rural and especially the farming population has traditionally provided the bulk of labour migrants, both within and between countries. European farming populations, however, have declined to very low levels. Even if an end were made to farming subsidies and the bulk of the current farming population became available to other industries and occupations, this would not amount to more than between one and four per cent of employment in most EU countries. This is extremely little in comparison to 1997 to 2012 trend growth against the period mean of 6.3 per cent in the EU15. In other words, agricultural labour reserves, if any, would last for between two and eight months of one single year.

The bulk of the rural population in Europe does not now live on farms or off farming. Nor are they inactive. Indeed, their participation in employment and their occupational distribution is not substantially different from suburban or urban populations of the same level of education and training. The only sense in which they are now available for labour migration is through the younger generation going off to acquire tertiary education in urban centres, never to return. This is likely to keep providing part of the new workers for higher grade occupations in urban areas. Areas away from urban centres, even if they are suburbanised rather than outright rural, have been facing difficulties in attracting all sorts of personnel with tertiary qualifications, including medical doctors. Rural areas are already depopulating and small towns see it coming. They are beginning to behave towards cities in their purview like EU societies towards demographically

more dynamic parts of the globe, i.e. they are starting to talk about enticing back skilled and highly-skilled workers, but they are not serious about it; nor is there any "danger" that they will succeed. After all, the more depopulated an area gets, the more the remaining population is self-selected into staying and comprises only those who prefer to be by themselves. The towns along the western side of the erstwhile Iron Curtain provide a classic example.

Increasingly lacking a sufficient internal supply of labour for unskilled occupations, EU member states are compelled to rely on migrant workers. For this purpose, they have been tending to perfect the art of making worker migration temporary.

EU member states have also been vigorously pursuing policies of country preference. Language similarity has been one criterion for favouring certain origin countries over all others, but religious similarity has been another important factor. Although not openly stated, in countries that had not had colonies, colour was also an issue in the choice of origin countries. Proximity often intersects with either or all of these, but has only occasionally been an independent further criterion.

Intermediate skills
For low-skilled work there tends to be both an insistence on seasonal and other limited-term contracts and permits, plus country preferences, while for the (most) highly skilled, educated or paid the term limitation is relaxed, though not abolished, and the country preference is weak on the one hand and complemented on the other by efforts to entice back emigrants who have proven their mettle abroad. Between these two tiers of worker migration, a broad middle-level gap is left. This skill level is at present effectively inaccessible to non-EU/ EFTA citizens, which of course is no coincidence. The majority of the population, of employees, of trade unionists, and of employers is in this skill (and income) bracket. They have a great many opportunities to assert to law-makers, administrators, government and social partners that there is absolutely no need for immigration into the occupations they typically staff. In addition, it tends to be especially hard to obtain official recognition for middle-level qualifications from abroad. Procedures, if they exist, tend to allow for substantial degrees of arbitrariness, more so than at the level of university degrees, and furthermore this arbitrary control is exercised by incumbents.

If there is a need for a greater number of skilled craftspeople and industrial workers, it must be tackled locally. Recruiting abroad offers no alternative be-

cause the way middle-level skills are acquired, certified, proven, employed, exercised, marketed, developed and so on in most cases differs to an extraordinary degree between countries, although the skills themselves may differ little.

Where companies are used to skilling workers on the job and starting from scratch in doing so, assimilating immigrant skills may be easier and cause less disruption than in economies where skill formation is expected to take place involving players other than and previous to the employing company. In the latter economies, these other players have to fulfil their part in making immigrant intermediate skills productive, and they have to do so in a coordinated manner. This coordination, in turn, will not come about by itself. It has to be initiated by the government, which will pose a problem if the government is itself uncoordinated in this respect.

CONCLUSION

The vision guiding European worker migration policies at present seems to be that of a three-caste society. At the bottom there would be a layer of temporary migrant workers in low-skilled occupations. In order to prevent settlement the latter would be as neatly separated from the settled population as possible. Above them there would be an initially large but shrinking layer of native workers with intermediate skills who remain isolated from both immigration and emigration. On top there would be an expanding layer of reasonably cosmopolitan highly-paid workers including a sprinkling of immigrants who might or might not settle.

Better knowledge of characteristics which have contributed to the success of past labour migrants would help countries in the selection of reasonable labour migration policies (OECD 2013:129). Evaluation, however, is poorly developed in most EU countries, and tends to be poorly understood by policy makers and trade unionists, and often also by employers. It might also yield unwelcome insights that are at odds with national common sense.

As the policy emphasis on highly-paid migrants is obviously misplaced in terms of both need and supply, Europe should rethink. It should instead specialize in showing the world how migration can be absorbed fruitfully. The main policy instrument would be an initial skills assessment for all migrants arriving without a job, followed by a period of work experience combined with course work and

induction into the local community in order to produce the skills, linkages, and trust on the part of migrants, companies, and the community that will enable them to function together. There are some interesting beginnings in this direction at national level that should be treated as European pilot schemes. They should be evaluated, adapted to national, regional, and local conditions and resources, and rolled out more broadly. In the given developmentalist policy framework, immigration must be treated developmentally, i.e. almost like births, triggering an intricate chain of interactions involving the state, the community, and the whole range of social institutions with a fairly clear aim. Most EU societies are better equipped for this than for keeping migrants out.

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REFERENCES

Abadan-Unat, Nermin (2005) Migration ohne Ende. Vom Gastarbeiter zum Eurotürken; Edition Parabolis.

Abella, Manolo I. (1997) Sending Workers Abroad: A Manual for Low- and Middle-Income Countries; ILO.

Böhning, W. R. (1996) Employing Foreign Workers: A Manual on Policies and Procedures of Special Interest to Middle- and Low-Income Countries; ILO.

Cowen, Michael P. / Shenton, Robert W. (1996) Doctrines of Development; Routledge.

EMN (European Migration Network) (2011) Satisfying Labour Demand through Migration; EMN http://emn.intrasoft-intl.com/Downloads/prepareShowFiles.do;jsession-id=8067386AE592E43A7146C4FCF04A9474?entryTitle=11_Satisfying%20LABOUR%20DEMAND%20through%20migration, 2013-06-13.

Fellinger, Raimund (ed) (1984) edition suhrkamp. Ein Lesebuch; Suhrkamp.

Frisch, Max (1984) Überfremdung 1. 1965; Überfremdung 2. 1966; in: Fellinger (ed) 1984: 187-209 (originally in: Frisch, Max (1967) Öffentlichkeit als Partner; Suhrkamp).

ILO (International Labour Organisation) (1996) Contract Labour; Report VI (1), International Labour Conference, 85th Session, 1997; ILO.

Koopmans, Ruud / Michalowski, Ines / Waibel, Stine (2012) Citizenship Rights for Immigrants: National Political Processes and Cross-National Convergence in Western Europe, 1980-2008; American Journal of Sociology 117/4:1202-1245.

Krause, Karolin / Liebig, Thomas (2011) The labour market integration of immigrants and their children in Austria; OECD Social, Employment and Migration Working Papers No. 127, Directorate for Employment, Labour and Social Affairs; OECD Publishing http://www.oecd-ilibrary.org/social-is-sues-migration-health/oecd-social-employment-and-migration-working-papers_1815199x, 2011-11-26.

OECD (1998) Report on the Temporary Employment of Foreigners in Several OECD Countries; in: SOPEMI 1998:185-200.

OECD (2011) Recruiting Immigrant Workers: Sweden 2011; OECD.

OECD (2012) The Changing Role of Asia in International Migration; in: SOPEMI 2012:157-208.

OECD (2013) Recruiting Immigrant Workers: Germany 2013; OECD.

Penninx, Rinus / Roosblad, Judith (2000) Introduction; in Penninx/Roosblad (eds) 2000:1-20.

Penninx, Rinus / Roosblad, Judith (eds) (2000) Trade Unions, Immigration, and Immigrants in Europe: A Comparative Study of the Attitudes of Trade Unions in Seven Western European Countries; Berghahn Publishers.

SOPEMI (1998) Trends in International Migration. Annual Report, 1998 Edition; Paris: OECD.

SOPEMI (2012) International Migration Outlook. Annual Report, 2012 Edition; Paris: OECD.

03

Gender Structures in International Migration Processes

Eleonore Kofman

DEVELOPMENTS AND CHANGING PATTERNS

As Zlotnik (2003) highlighted in her survey of patterns of gendered migrations throughout the world, Europe has traditionally displayed a fairly feminised migration stock. Already in 1960, women constituted 48.5% of migrants and by 1990 they had become the majority of flows (51.7%) in Europe. Though this does not represent a large increase, the rate of growth of female migration in the past 20 years has varied considerably between countries. An increase has been particularly marked in Southern Europe, and especially in Spain and Italy (see figures 1 and 2), due in large part to the rapidly growing demand for labour in household services and tourism.

FIGURE 1 NUMBER OF FEMALE MIGRANTS
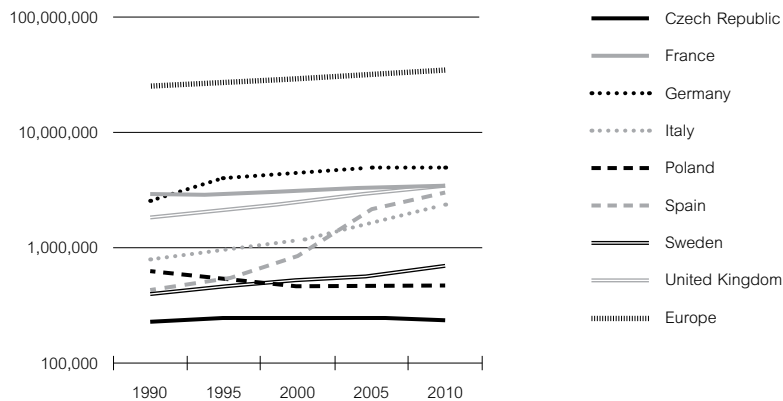
United Nations, Department of Economic and Social Affairs, Population Division (2009).
Trends in International Migrant Stock: The 2008 Revision (United Nations database, POP/DB/MIG/Stock/Rev.2008.

FIGURE 2 RATE OF GROWTH OF FEMALE MIGRATION
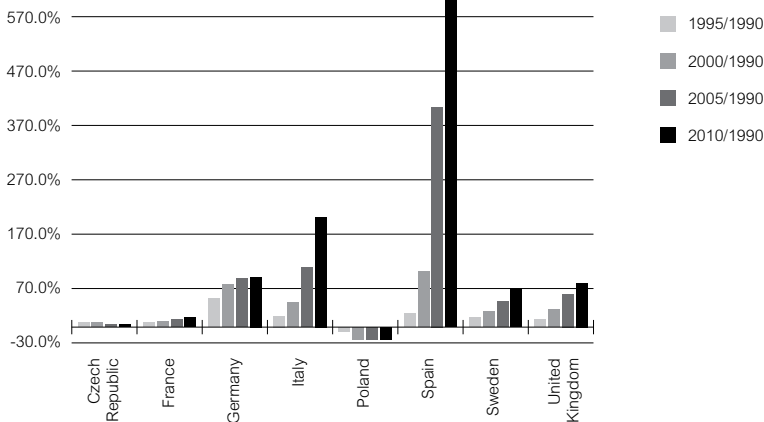
Women have of course migrated through a range of different categories (see figure 3), the largest flows being for family and labour reasons with smaller numbers as students and asylum seekers and refugees. Women constitute about a third of the total number of asylum seekers. In this chapter, we shall focus on the two largest flows.

Unlike for men, family migration continues to provide the most significant route of long-term migration for women, although over the past decade the proportion in this category has declined as labour-related migration has increased (table 3). The share of family formation, as opposed to reunification of primary migrants, has been increasing. In a world of more intense mobility of students, workers, business people and tourists, this has led to an acceleration in the formation of transnational families. Hence, although family migrations now constitute a smaller proportion than in the past, in some countries (Austria, France, Germany) family reasons for migration (spouses, children, others) comprised over 40% of all legal migration in 2010 (Huddleston 2011). Elsewhere, as in Italy, family migration (37% in 2010) increased significantly following a period of intense labour migration. In contrast, in other countries, the decline has been steep, especially after the introduction of restrictive policies as in Denmark, the Netherlands and the UK (see Challenges).

Although little attention has been paid to the employment of spouses, it is clear that the majority do enter the labour force, even if in the initial years of residence their level of activity falls below 50% (see figure 5). Nevertheless the rate rises to about 65% for those who arrived in the early 1990s (see figure 6) and should therefore lead one to question the prevalent stereotype of female family migrants as not participating in the labour market and generally of being poorly educated. Furthermore, as Pastore (2010) points out, the majority of migrants in the labour market have arrived through non-labour channels.

FIGURE 3 REASONS FOR MIGRATION

Foreign-born population aged 25–54 that entered the receiving country
aged 15 and over by main reason for migration and gender, EU-27, 2008*
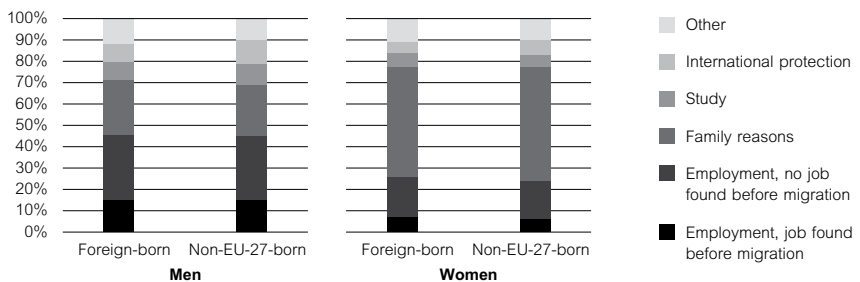
*This Information is based on data from BE, DE, IE, EL, ES, FR, IT, CY, LT, LU, NL, AT, PT, SE and UK.
Source: Eurostat, LFS 2008 ad hoc module (online data code: lfso_08cobr)

FIGURE 3 REASONS FOR MIGRATION

Foreign-born population aged 25–54 that entered the receiving country aged 15 and
over by reason for migration and duration of residence in the receiving country, EU-27, 2008*
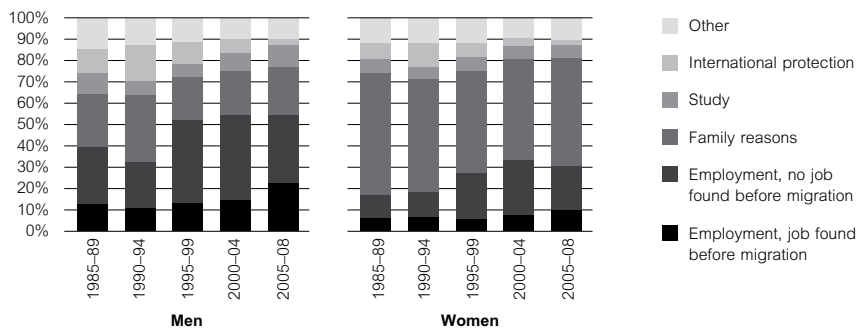
* This Information is based on data from BE, DE, IE, EL, ES, FR, IT, CY, LT, LU, NL, AT, PT, SE and UK.
Source: Eurostat, LFS 2008 ad hoc module (online data code: lfso_08resr)

**FIGURE 5 ACTIVITY RATES BY ROUTE OF ENTRY OF FOREIGN-BORN PERSONS
AGED 25-54 WHO MIGRATED AGED 15 YEARS OR OVER BY GENDER AND MAIN
REASON FOR MIGRATING, EU-27, 2008***
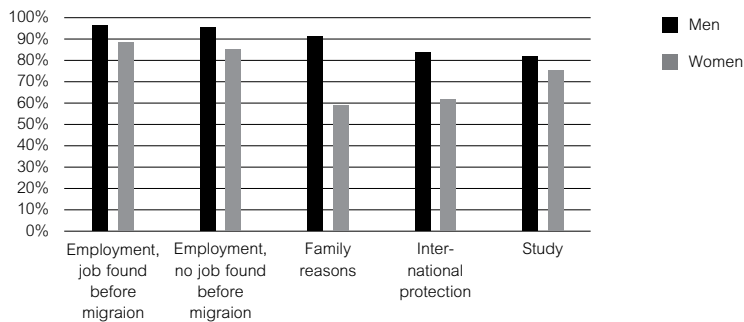
* This Information is based on data from BE, DE, IE, EL, ES, FR, IT, CY, LT, LU, NL, AT, PT, SE and UK.
Source: Eurostat, LFS 2008 ad hoc module

FIGURE 6 ACTIVITY RATES FOR FOREIGN-BORN PERSONS AGED 25-54 BY GENDER AND YEARS OF ARRIVAL FOR FAMILY MIGRANTS AND YEARS OF ARRIVAL IN THE RECEIVING COUNTRIES, EU-27, 2008*
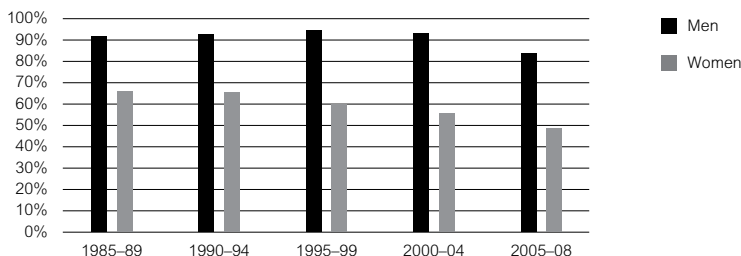
* This Information is based on data from BE, DE, IE, EL, ES, FR, IT, CY, LT, LU, NL, AT, PT, SE and UK.
Source: Eurostat, LFS 2008 ad hoc module

At the same time, the proportion of women entering as labour migrants has been increasing, including a higher proportion of those who have been offered jobs before entering the country. Women's labour migration is concentrated in a few female-dominated occupations (see figure 7), both skilled, such as nurses (Bach 2010; Kingma 2006), and less skilled, such as domestic work and care (in the household and residential homes), accommodation and food services (Widding Isaksen 2010; Lutz 2011). Amongst the skilled, EU migrants have tended to replace non-EU in the past few years, as states such as Ireland and the UK have made non-EU recruitment much more difficult (Bach 2010). Recent migrants in particular overwhelmingly dominate the category of those employed directly by the household, especially in the familial welfare states in Southern Europe (figure 7). In Italy and Spain, care of the elderly in the home has benefitted from entry quotas (Pastore 2010). For example, more than 80% of domestic workers in Italy are migrant women, mostly from Eastern Europe, Latin America or the Philippines, often employed as live-in workers in the elderly care service sector. Overall it is estimated that 2.6 million workers in the EU were employed directly in this category in 2011 and that undeclared work represents 70% of the sector in Italy and Spain. Au pairs too should be counted as providers of domestic services and child care (Burikova and Miller 2010; Stenum 2010). In Europe as a whole, 4.8 million are employed in what is classified as "social work without accommodation", which means they provide household services through an organisation (private, non-profit or public) (Farvaque 2013). This is particularly the case in Nordic countries and the UK, with France representing a mixed model.

Some have called the transfer of physical and emotional labour from the global South and the European periphery a global chain of care (Hochschild 2000; Parrenas 2001), although the emphasis in this conceptualisation on household services underplays their presence in residential homes, a pattern common in Northern and Western Europe (Cangiano et al. 2009; IOM 2012). The enlargement of the European Union in 2004 and the subsequent freedom of mobility have meant that Eastern European migrant women have to some extent replaced those from traditional sources, such as the Philippines. Polish migration has dominated flows to Ireland and the UK and Romanian to Italy and Spain.

**FIGURE 7 TOP 10 PRINCIPAL SECTORS FOR WOMEN AGED 25-54, EU-27
(% OF TOTAL CORRESPONDING POPULATION)**
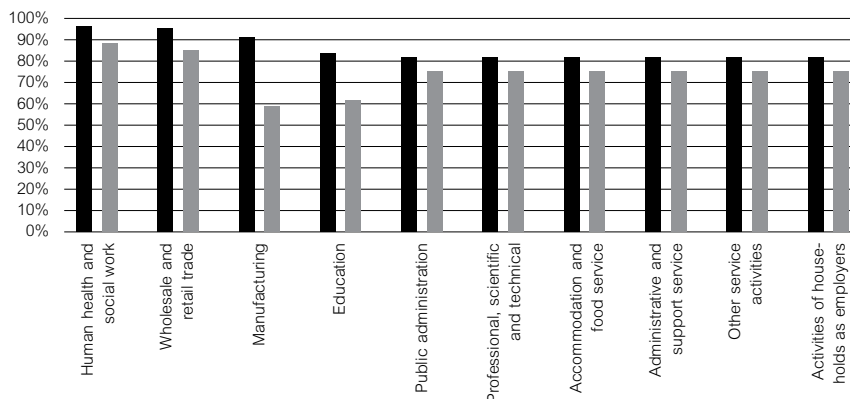
* This Information is based on data from BE, DE, IE, EL, ES, FR, IT, CY, LT, LU, NL, AT, PT, SE and UK.
Source: Eurostat, LFS 2008

■ Native-born
■ Foreign-born

In general, the few routes available for legal migration have often left women little recourse but to migrate irregularly, although they may enter legally and then overstay (see Undeclared work in household services) (Schrover et al 2008; Schwenken and Heimeshoff 2011). Many work undocumented for a period, although regularisation programmes, especially in Italy and Spain, have permitted about 500,000 workers to acquire a regular status (FRA 2011: 49-50). Too often jobs in the household are not registered or do not provide contracts. Remuneration is often below the average for female employment and without social entitlements. Also, though not counted in official statistics, significant numbers may be involved in prostitution and the sex industry – some of them

involuntarily through trafficking (Agustin 2007; Andrijasevic 2010). Schrover et al. (2008) comment that policy makers engage in oversimplified dichotomies between women being at risk and therefore victims, on the one hand, and men posing a threat, on the other.

MAIN CHALLENGES TODAY

Several interrelated challenges have been identified – demographic shrinking, a related aging society with increasing care needs and some labour markets which are experiencing severe skill and labour shortages (Pascouau 2013). At the same time, high levels of unemployment in many countries and political hostility to migrants, encouraged by some European governments, make it difficult to address such challenges in relation to the need for migrants and workers who should be offered decent work.

Whilst there are labour shortages across skill levels, the strategy of making Europe a knowledge-based economy and society pursued by the European Commission and a number of states has tended to privilege male-dominated and better paid employment such as science, engineering, information tech-nology, finance and management, including intra-company transfers amongst skilled migrants (Kofman 2013). Receiving countries have generally attempted to reduce the immigration of lesser-skilled migrants, who are often seen as being in competition with indigenous labour, or to rely on intra-Europeans. However, shortages in sectors such as tourism, domestic work and care are only partly being met by Eastern European migrants. In Italy and Spain, which previously had opened up routes for less skilled work, the numbers permitted through quotas have shrunk. Hence, the limited legal channels for immigration are a major challenge for female migrants.

Another challenge is the financial crisis of 2008, especially severe in Southern European states and Ireland, and from which migrants were the first to suffer. Male migrants, especially third- country migrants, have been hardest hit by loss of employment. In 14 out of the 22 countries for which relevant data exist, the highest employment fallout was for this category of migrants. However, in Ireland, Denmark, Austria, Poland and Luxembourg, mobile workers from within the EU fared slightly worse than third-country ones. In contrast, at least at the beginning of the crisis, migrant women's employment held up better, due, it is thought, to sectoral segregation and the demand for care workers,

especially for the elderly (Bettio et al. 2013: 89). In some instances, migrant women may have increased their labour force participation to compensate for income losses from migrant men.

Even when migrant women are in employment, they often face high levels of deskilling and lack of recognition of their qualifications, an issue to which a number of organisations such as the EU and OECD have drawn attention (Dumont and Isoppo 2005). Levels of overqualification are especially high for migrant women from low- and middle-income countries outside the EU. The proportion of highly-educated migrant females employed in low- and medium-skilled sectors is 15% higher than for native-born workers. Female migrants in particular face a significant level of downward job mobility and reorientation away from paid work and towards the domestic sphere. On an institutional level there appears to be a channelling of female foreign labour towards low-skilled, badly paid, insecure employment (European Women's Lobby 2012).

TABLE 1 OVERQUALIFICATION

Overqualification rate of employment population ages 25–45 by groups of country of birth, gender and duration of residence in the receiving country, EU-27, 2008 (%)

	Native-born	Foreign-born	of which			
			EU-27-born	Non EU-27-born	of which from counties with	
					high HDI	low and medium HDI
EU-27	19	19	19	19	34	38
Men	19	19	19	19	32	36
Women	19	19	19	19	35	41
Recent migrants	–	–	–	–	38	52
Settled migrants	–	–	–	–	32	32

Source: Eurostat, LFS 2008

For countries of origin, there are a number of issues regarding female migration. In particular they concern the continuing migration of skilled health workers, the welfare of their migrants, especially given the large numbers working irregularly or undeclared and without proper legal and social protection, and care responsibilities for those left behind. In sectors where labour is in demand but where there is either no recognition by the state in immigration policies or lack of regulation, migrant labour faces gaps in protection, poor and insecure working conditions and vulnerabilities.

In terms of family migrants, current political and public debates increasingly see the 'migrant family' as an obstacle to integration. Their practices, and in particular those of migrant women, are considered inimical to the modern Western family and problematic for the future integration of migrant children (Kofman et al. 2013; Kraler et al. 2011; Roggeband and Verloo 2007). In the past, family reunification was promoted as a measure to encourage integration, but in recent years a number of measures (increasing age of marriage of sponsors and spouses, imposing language tests and knowledge of society on spouses, higher income requirements for sponsors, demonstration of attachment to receiving country) have sought to intervene in the reproduction of migrant families and to restrict their numbers.

EFFECTS OF THESE CHALLENGES ON MIGRATION AND MOBILITY TODAY

One of the main factors likely to produce new patterns of migration and mobility today is the increasingly protracted austerity faced by countries in Southern Europe, especially amongst youth, whose levels of unemployment are extremely high. During the initial stages of the economic downturn, when unemployment of migrant men increased markedly, migrant women often increased their participation in the labour market, and appeared to have played an important role in compensating the income losses of migrant men (OECD 2011). Mobile female workers from within the EU were largely spared, but even for third-country female migrants, the fall in employment was not high compared to that for men (3.7% for third-country women and 8.6% for men) (Bettio et al.2013). The numbers occupied in caring for older people will continue to increase, even if at a slower pace, although pressure on national social budgets, as in the Netherlands, may worsen the conditions of work for migrant workers and increase the amount of undeclared work. More recently, there appears to be some replacement of migrant labour in the care sector, for example in Italy, by non-migrant labour.

The severity of the crises in Southern Europe and very high levels of unemployment there have also begun to generate flows of young people, in particular to Northern Europe. Unlike in the guest worker regime, many are skilled. The proportion of women in these flows is unknown. Between 2009 and 2011, the number of migrants from Southern Europe moving to other EU states jumped by some 45% (OECD 2013). These migrants principally moved to Germany

and the UK. For example, the number of Greeks and Spaniards migrating to other EU countries has doubled since 2007 to 39,000 and 72,000, respectively. Germany experienced a 73% surge in Greek immigrants from 2011 to 2012, almost a 50% increase in Spanish and Portuguese and 35% in Italians (BBC, 26 June 2013). Some are leaving for former colonies, as with Portuguese to Brazil, Angola and Mozambique, and Irish once again to Australia and New Zealand. In relation to the restrictive conditions imposed on family migration, it is likely that this is leading to higher numbers of fragmented families, on the one hand, and to an increased exercise of their EU mobility rights for those with the necessary cultural capital and resources. For Danes, especially around the Copenhagen region, the Swedish option is the preferred one; it is estimated that 2,000 – 3,000 Danes have moved to Sweden since 2002 and the introduction of the new regulations (Rytter 2012). It is, however, difficult to be specific about the extent of both of these developments across Europe.

EFFECTS EXPECTED IN THE NEXT 20 YEARS

How migration and mobility patterns evolve will depend to some extent on how long austerity lasts and what kind of EU emerges from this period. It may continue to expand with long transitional periods for entry into the labour force for new enlargement countries, which will also supply sectors in shortage. It may on the other hand break up, although this would not necessarily mean the end of mobility though it might entail weaker social rights.

In the short to medium term, demand for female labour is likely to continue in household and personal services and in residential care, especially in relation to care for the elderly (OECD 2011). Although the EC and a number of states (Belgium, France, Germany, Nordic countries) are pushing employment in household and personal services, these policies serve more to create demand and a formal market for such services, but effects on supply, i.e. whether these policies are directed towards migrants, recent and established, second generation or indigenous labour, are less clear.

— 03 —

RESPONSES TO DEVELOPMENTS

Labour

Policies to encourage highly-skilled non-EU migrants have emphasised income as a major criteria for entry (EU Blue Card and national points-based systems). This discriminates against female migrants, although skilled women tend to migrate more than skilled men (Dumont et. al. 2007). In the Netherlands (Kofman 2013a), for example, which introduced a knowledge migrants scheme in 2004, the largest allocation of permits in 2006 was to IT, which also had the lowest percentage of females (18.8%). Female skilled migrants, often in less well remunerated professions, such as nursing, social work or teaching, may find it difficult to enter through skilled channels. These sectors are also more regulated by professional bodies and immigration numbers are prone to considerable fluctuations in national policies towards training, ethical recruitment from the Global South and social expenditure on education and health.

Family

In terms of family migration, measures such as language tests and knowledge of society for spouses, higher income for sponsors to bring in non-EU spouses and attachment tests (in Denmark) have been imposed on citizens and long-term residents as conditions for family reunification and formation (Kraler et al 2011; Huddleston 2012).

In Denmark, numbers almost halved from 4,880 family reunifications in 2002, the year the new regulations were introduced, to 2,344 in 2004. High income requirements affect women even more than men due to the gender pay gap, part-time work and caring responsibilities (Kofman and Wray 2013; Strik et al. 2013). Hence, in the six months following the introduction of the new income regulations based on the sponsor earning EUR 22.500 per annum (well above the annual gross minimum salary), applications dropped by 53.7% for men but 66.2% for women, whilst the refusal rate doubled. Thus the numbers permitted to bring in their spouse only represented 16.4% of the previous figure for women and 24% for men (Free movement blog, 10 June 2013). Furthermore, as governments impose harsher conditions on entry, they also expect migrants to take responsibility for their integration, including paying for the higher charges that are being levied for visas, language examinations and integration classes.

[1] Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence for third-country nationals for the purposes of highly qualified employment, OJ L 155, 18.06.2009

For migrants, the conditions attached to family reunion and formation, such as income requirements and overcoming bureaucratic obstacles, are highly gendered. They render the realisation of family reunion difficult for many women. In most European countries, the spousal visa entails a period of several years or a probationary period (up to 5 years), which has been extended in recent years, before a permit with autonomous status independent of the spouse is acquired. If during this period the woman is the victim of domestic violence or she applies for divorce, she is often not entitled to a residence permit in her own right. Although domestic violence is recognised in a number of states as a justified reason for the breakdown of marriage, the burden of proof is high and hence women may be forced to stay in abusive relationships.

As sponsors too, it may be more difficult for women to bring in spouses due to gender pay gaps, which means their income is likely to be lower, and caring responsibilities resulting in part-time work (Kofman and Wray 2013). In Southern Europe, the predominance of informal work opportunities is a barrier to formal family reunification since formal employment contracts are a requisite for sponsoring family members.

RESPONSES AND MULTILEVEL GOVERNANCE OF MIGRATION POLICIES

International organisations have been concerned with problems and discrimination faced by migrant women and their integration into the labour market. These include the lack of legal channels and availability of decent work and access to social rights and protection. The European Commission (2010; Rubin et al. 2008) has addressed the difficulties arising from overqualification and discrimination that migrant women face in entering the formal labour market. IOM (2011) has drawn attention to the deskilling of educated women which denies societies the benefits of their qualifications and skills and leaves migrant women profoundly demoralised. The Council of Europe (2011) has also recognised the need for receiving countries to develop and implement measures to promote the integration and protection of such women in the labour market. Immigration policies should be gender sensitive and reflect a gender-based analysis of their impact (OSCE 2009).

Domestic work has been of particular concern. On 14 March 2013, the European Parliament adopted a resolution calling on Member States to adopt legal and policy frameworks that allow better integration of migrants in the labour market,

emphasising the importance of domestic and care work and noting the fact that migrant domestic workers often have no formal contract or social protection and earn very low wages. It called on all members to ratify ILO Convention 189 concerning Decent Work for Domestic Workers (adopted at the 100th session on 16 June 2011). Having been ratified by 2 countries (Uruguay and the Philippines), it will come into force on 5 September 2013. In the meantime, Spain promulgated a decree on 14 September 2011 regulating the special relationships characteristic of service within the household. With reference to the European Charter of Fundamental Rights, the FRA (2011) has also highlighted the need to protect the rights of all domestic workers, including those in an irregular situation.

Apart from encouraging states to implement legislation respecting the human rights of domestic workers, the EC (2012) has looked to developments in several European countries as the basis for policy reforms in the use of personal and household services. States such as Belgium, Denmark, Finland, France and Sweden, concerned to increase employment in this sector, have also sought to reduce undeclared work and ensure decent working conditions and basic rights for workers. In France, it is estimated that as a result of incentives given to households, the share of undeclared work has dropped from 50% in 1996 to 30% in 2005 (Farvaque 2013). Yet in others, such as the UK, the drive by the Conservative Coalition government, elected in May 2010, to reduce immigration and the numbers settling has led to a substantial worsening of the rights of overseas domestic workers. In April 2012 it altered the Overseas Domestic Workers visa, completely tying the worker to the employer who had brought the worker into the country, limiting the visa to 6 months and taking away any right to extension (Kalayaan 2013). Kalayaan, the major UK organisation campaigning for justice for overseas domestic workers (15,745 entered under this category in 2012) argues that data derived from those using its advice services show a worsening of conditions in terms of wages and accommodation compared to the previous visa regime. Furthermore, the UK government was only one of two EU states (the other being the Czech Republic) which abstained from voting in favour of the adoption of ILO Convention 189.

A Family Reunification Directive 2003/86EC determining the conditions under which family reunification is granted, as well as the rights of the family members concerned, was adopted in 2003 by all states except Denmark, Ireland and the UK. However, the initial review of its application showed that its transposition has varied quite substantially. In relation to the period before an autonomous permit is issued, most countries went up to the full five years permitted.

Concerning employment, refraining from impeding entry to the labour market had on the whole been complied with, although some countries, such as Germany, still exceeded what was permitted. In addition, Austria imposes annual quotas on the number of family reunifications. Since then, as we have seen, a number of states, signatories and non-signatories, have imposed even harsher conditions and forced many non-EU migrants to put their lives on hold (Strik et al. 2013).

The gendered implications of immigration regulations have not, however, been adequately discussed by the EC or by individual states. As previously noted, the criteria applied to skilled migration has privileged those earning high salaries which are primarily in male-dominated sectors (Kofman 2013a,b), whilst there are few legal channels for non-EU migrants to enter less skilled sectors, even where shortages are clearly manifest (Bettio et al 2013).

RECOMMENDATIONS TO STATES TO BETTER MEET EXPECTED FUTURE CHALLENGES IN MULTILEVEL GOVERNANCE

Efforts have been made to improve labour market integration but policies continue to disregard the gender dimension of immigration and the diversified needs of migrant women. States need to ratify and implement human and fundamental rights instruments recommended by international organisations and European equality bodies. They also need to respect the right to family life where the imposition of increasingly harsh regulations is also discriminatory against women.

› For workers in the household, the setting up of a legal framework ensuring decent work and fair working conditions, covering minimum wage levels, sick pay, rest periods and treatment according to existing labour regulations and the right to join trade unions and access to justice.
› Recognise the diversity of migrant women's educational levels and professional experience and tackle the deskilling they experience by recognising their diplomas and qualifications
› Combat and address discrimination and racism in the workplace
› Provide comprehensive gendered statistics on immigration so as to permit a gender-based analysis of immigration regulations in relation to labour and family migrations
› Respect the right to family life rather than impose a series of criteria that have particularly harsh consequences for women and disrupt family life.

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REFERENCES

Agustin, L. (2007) Sex At the Margins: Migration, Labour Markets and the Rescue Industry, Zed Books

Andrijasevic, R. (2010) Migration, Agency and Citizenship in sex trafficking, Palgrave.

Bach. S. (2010) 'Managed migration? Nurse recruitment and the consequences of state policy' Industrial Relations Journal 41(3): 249-66.

Bettio, F., M. Corsi, C. D'Ippoliti, A. Lyberaki, M. Samek Lodovici and A. Verashchagina (2013) The Impact of the Economic Crises on the Situation of Women and Men on Gender Equality, Synthesis Report

Burikova, Z. and D. Miller (2010) Au Pair, Cambridge: Polity.
Cangiano, I. Shutes, S. Spencer and G. Leeson (2009) Migrant Care Workers in Ageing Societies. Research findings in the United Kingdom, Oxford: Compas.

Dumont, J.C., J. P. Martin and G. Spielvogel (2007) Women on the Move: the neglected gender dimension of the brain drain, IZA Discussion Paper 2920.

European Commission (2008) Report from the Commission to the European Parliament and the Council on the application of Directive 2003/86/EC on the right to family reunification, COM/2008/0610 final

European Commission (2010) Ethnic minority and Roma women in Europe: a case for gender equality? Study conducted by Expert Group on Gender Equality, Social Inclusion, Health and Long-term Care

European Commission (2012), Staff working document on exploiting the employment potential for personal and household services, SWD (2012) 95 final

European Network of Migrant Women and European Women's Lobby (2012) "Equal Rights, Equal Vices". Migrant women's integration in the labour market in six European cities: a comparative approach, Brussels

Farvaque, N. (2013) Developing personal and household services in the EU. A focus on housework activities, Report for the DG Employment, Social Affairs and Social Inclusion
Free Movement Blog, 10 June 2013, British women disproportionately affected by new immigration rules

Fundamental Rights Agency (2011) Migrants in an Irregular Situation Employed in Domestic Work. Fundamental rights challenges for the European Union and its member states, FRA: Vienna.

Hochschild, A. R. (2000) 'Global care chains and emotional surplus value' in W. Hutton and A. Giddens (eds) On the Edge: living with global capitalism, pp. 130-46.

Huddleston, T. (2011) 'Family reunion: confronting stereotypes, understanding family life' Migration Policy Group Briefings for the Green Paper on Family Reunion +1

Huddleston, T. (2012) 'Can't buy me love'. UK sets one of the world's highest requirements for people to reunite with family' MPG and Runnymede

IOM (2010) The Role of Migrant Care Workers in Ageing Societies: Report on Research Findings in the United Kingdom, Ireland, Canada and the United States, MRS 41

IOM (2011) Crushed Hopes: Underemployment and Deskilling in Skilled Migrant Women, IOM: Geneva.

Kalayaan (2013) Slavery by another name: the tied migrant domestic worker visa

Kingma, M. (2006) Nurses On the Move: Migration and the global health economy, Cornell University Press.

Kofman, E. (2011) Family Reunion Legislation in Europe: is it discriminatory for migrant women, European Network of Migrant Women, Brussels
Kofman, E. 'Gendered labour migrations in Europe and emblematic migratory figures' Journal of Ethnic and Migration Studies, 2013, 39(4): 579-600.

Kofman, E. (2013b) 'Towards a gendered evaluation of (highly) skilled immigration policies in Europe' International Migration, DOI: 10.1111/imig.12121

Kofman, E. and H. Wray (2013) Divided families but some more divided than others, Submission to the All Party Parliamentary Group on Migration – Family Migration Inquiry, Social Policy Research Centre, Middlesex University

Kofman, E. S. Saharso and E. Vacchelli (2013) 'Gendered perspectives on integration measures' International Migration, DOI: 10.1111/imig.12102.
Kraler, A. E.. Kofman, M. Kohli, and C. Schmoll (eds) Gender, Generations and the Family in International Migration, University of Amsterdam Press, 2011

Lutz, H. (2011) The New Maids. Transnational women and the care economy, London: Zed Books.

OECD (2011) International Migration Outlook SOPEMI 2011, OECD: Paris

OSCE (2009) Guide on Gender Sensitive Labour Migration Policies,

Parrenas, R. (2001) Servants of Globalization, University of Stanford Press.

Pastore, F. (2010) Managing migration through the crisis. Evolving Patterns in European Policies on Labour Migration and Mobility, LabMigGov Papers, FIERI.

Roggeband, C. and M. Verloo (2007) 'Dutch women are liberated: migrant women are a problem. Evolution of policy frames on gender and migration in the Netherlands' Social Policy and Administration 41(3): 271-88.

Ruffer, G. (2011) 'Pushed beyond recognition: The liberality of family reunification policies in the EU' Journal of Ethnic and Migration Studies 37(6): 935-51.

Rytter, M. (2012) 'Semi-legal family life: Pakistani couples in the borderlands of Denmark and Sweden' Global Networks 12: 91-108.

Scholten, P. et al. (2012): Integration from abroad? Perception and impacts of pre-entry tests for third-country nationals. PROSINT Comparative Reports WP4.
http://research.icmpd.org/1429.html

Schrover, M. J. van der Leun, L. Lucassen and C. Quispel (eds) (2008) Illegal Migration and Gender in a Global and Historical Perspective, University of Amsterdam Press.

Schwenken, H. and Heimeshoff (eds) (2011) Domestic Workers Count: global data on an often invisible sector, Kassel University Press: Kassel.

Stenum, H. with H. M. Dahl (2011) Abused Domestic Workers in Europe: The case of au pairs, European Parliament's Committee on Women's Rights and Gender Equality.

Stenum, H. (2010) 'Au pair migration and new inequalities. The transnational production of corruption', in Widding Isaksen, L. (ed) Global Care Work. Gender and migration in Nordic societies, Nordic Academic Press, pp. 23-48..

Strik, T., B. de Hart and E. Nissen (2013) Family Reunification: A Barrier or Facilitator of Integration? A Comparative Study

UN Human Rights European Regional Office (2010) Rights of Migrant Domestic Workers in Europe Widding Isaksen, L. (ed) (2010) Global Care Work. Gender and migration in Nordic societies, Nordic Academic Press.

Widmaier, S. and J-C. Dumont (2011) Are recent immigrants different? A new profile of immigrants in the OECD based on DIOC 2005/06, OECD Social, Employment and Migration Working Papers No. 126, Directorate for Employment, Labour and Social Affairs, OECD Publishing http://dx.doi.org/10.1787/5k-g3ml17nps4-en

Zlotnik, H. (2003) The Global Dimensions of Female Migration. Migration Information Source. http://www.migrationinformation.org/feature/display.cfm?ID=109

04

Labour Exploitation and Trafficking for Labour Exploitation

Trends and Challenges for Policy Making

Mariyana Radeva Berket

INTRODUCTION

Trafficking in human beings for the purpose of labour exploitation has been increasingly seen as a priority on policy agendas around the world, including in the European Union. Often designed as an ad-hoc response to events and trends[1], policies that aim to combat this form of trafficking vary in scope and impact. At the intersection of legislative, economic and social measures, policy makers attempt to find an efficient way to target a phenomenon that is notoriously difficult to quantify and assess. A common starting point is the broad anti-trafficking approach, comprising the four Ps – prevention, protection, prosecution and partnership. This essay will examine each of the four Ps and

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[1] For example, the Gangmasters Licensing Authority was set up in the United Kingdom as a response to the Morecambe Bay tragedy in 2004, when Chinese migrant workers drowned while collecting cockles. Also, based on the conclusion that labour inspectors can play a role in the initial identification of trafficked persons, training programmes for labour inspectors were organised in many European countries (ICMPD, 2013). In the Netherlands, a Memorandum of Understanding (MoU) was signed by NGOs and the State to provide for the provision of services to larger groups of exploited people, as such groups were being identified more often.

set out the necessity for adaptation of this approach to the specific nature of cross-border trafficking for the labour exploitation of adults[2]. In addition, the essay suggests the addition of a "fifth P" – policy development – in order to draw the attention of policy makers to the specific features of this phenomenon; it further proposes three dimensions for policy development. A central concern of the essay is a proposed change of imagery when discussing trafficking for labour exploitation per se, and in relation to each of the four Ps.

Furthermore, this essay discusses the particular context of the European Union as a single economic market whose members apply distinct labour and social regulatory frameworks, thus allowing unethical employers and criminals to (ab) use these differences and find loopholes in order to exploit workers and avoid any serious consequences. At the European Union anti-trafficking policy level, the "EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016" was adopted in June 2012 and describes in detail a set of actions[3] to be taken to address this phenomenon. With regard to cross-border mobility, the European Union presents little or no internal barriers to the free movement of goods and services among member states, but continues to impose certain restrictions on the free movement of labour, according to the national priorities of Member States. Recognising the relevance of labour migration to the future of its work force, the European Union distinguishes between two types of policies – migration policies governing the entry, residence and employment of "third-country nationals" (citizens of countries outside the European Union) on EU territory, and labour mobility policies establishing regulations for the movement of workers between EU Member States. These policies on cross-border movement have different implications for the two groups of workers mentioned above – legal, social and financial. Third-country nationals commonly migrate from regions and countries neighbouring the EU, such as the Western Balkans, Ukraine and other former Soviet Union countries, and the Southern Mediterranean, or from further afield, such as South-East or East Asia and West Africa. The group of EU citizens moving to other EU countries is comprised of people seeking better employment opportunities, usually responding to labour market

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[2] The essay will focus on transnational trafficking in human beings and will not touch specifically upon trafficking in children and internal trafficking, both of which are very serious issues and need further elaboration in a different context.

[3] Priority E, Action 4 of the EU Strategy: Targeting Trafficking for Labour Exploitation outlines the goals of the European Commission with regard to this form of trafficking until 2016. Available at http://ec.europa.eu/anti-trafficking/download.action?nodePath=/Publications/EU+Strategy+towards+the+Eradication+of+Trafficking+in+Human+Beings+2012-2016.pdf&fileName=EU+Strategy+towards+the+Eradication+of+Trafficking+in+Human+Beings+2012-2016.pdf&fileType=pdf

FIGURE 1: SNAPSHOT DATA

> **ILO:** June 2012[4]
>   > 14.2 million people worldwide (68%) are victims of forced labour exploitation in economic activities such as agriculture, construction, domestic work or manufacturing
>   > 4.2 people per 1,000 inhabitants are in a forced labour situation in Central and South-Eastern Europe and the CIS
>   > 1.5 people per 1,000 inhabitants are in a forced labour situation in developed economies and the EU
> **Eurostat:** April 2013[5]
>   > THB for FL was at 28% in 2008, then dropped to 23% in both 2009 and 2010
>   > In 2008, 2009 and 2010, an average 75% of the persons trafficked for FL were men
>   > 74% of male EU citizens are trafficked within the EU
> **European Union:**
>   > 880,000 people in a forced labour situation (ILO June 2012 report, see reference above) – 9,500 victims identified in 2010 = 1% identification rate
>   > *Estimated profit:*[6] trafficking in human beings generates an estimated profit of EUR 25 billion each year
> **UNODC:** Global Report 2012[7] (data for 2007-2010)
>   > THB for FL: 36% of all trafficking cases globally
>   > Share of FL cases doubled over the past 4 years
> **IOM:** 2011 case data on human trafficking, February 2012[8]
>   > 2,906 cases of THB for FL assisted globally, out of 5,498 cases total = 53%
>   > In Europe: 772 cases of THB for FL were assisted, out of 1,606 in total = 48%
> **Global Slavery Index 2013**[9]

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[4] Summary of the report available at http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_181953.pdf

[5] Available at http://ec.europa.eu/anti-trafficking/download.action;jsessionid=187LSwyfHQhQ2Wj0q2nQcyHWrx1h8wrssT2LBt2FkbKwQn9Lhdhh!812037101?nodePath=/Publications/Trafficking+in+Human+beings+-+DGHome-Eurostat_EN.pdf&fileName=Trafficking+in+Human+beings+-+DGHome-Eurostat_EN.pdf&fileType=pdf

[6] As quoted by the Report on organised crime, corruption and money laundering: recommendations on action and initiatives to be taken (final report). (2013/2107(INI)). Special committee on organised crime, corruption and money laundering, European Parliament, 26 September 2013. http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fNONSGML%2bREPORT%2bA7-2013-0307%2b0%2bDOC%2bPDF%2bV0%2f%2fEN

[7] Available at http://www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf

[8] Available at http://www.iom.int/files/live/sites/iom/files/What-We-Do/docs/Annual_Report_2011_Counter_Trafficking.pdf

[9] http://www.globalslaveryindex.org/findings/

trends and wage differentials in the home and destination countries. Each of these migrant and worker groups enjoys different rights on EU territory and integrates within the national labour force with varying degrees of success.

One of the challenges faced by policy makers in the field of combating trafficking in human beings is the difficulty of quantifying trafficking for labour exploitation. Different scholars and organisations, applying different methodologies, arrive at vastly different estimates. It seems that the one common feature of these data is indeed the nature of the estimates (see Figure 1). The experience of those who have attempted to quantify the problem further shows that there is no single "correct" methodology for collecting and analysing data on human trafficking.

What is clear, however, is that in most recent international and European reports[10] there is a stark difference between the numbers of (presumed) victims of trafficking, the numbers of officially identified victims, and the numbers of convictions for the crime of trafficking – conviction rates remain disproportionately low both globally and within the EU. Convictions for trafficking for labour exploitation, in particular, remain difficult to obtain, for a number of reasons. Firstly, the definition of trafficking in human beings contained in the UN Trafficking Protocol[11] (hereafter Palermo Protocol), which many countries have transposed into their national legislation without further explanation, leaves room for interpretation. The same applies to the widely-used definition of forced labour in the 1930 Convention C29 of the International Labour Organisation (ILO)[12]. In fact, the terms "forced labour", "labour exploitation" and "trafficking for labour exploitation" are commonly used interchangeably, despite the fact that they have different legal meanings[13] and thus require distinct measures in order to be tackled effectively.

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[10] UNODC 2012, ILO 2012, Eurostat 2013, US State Department TIP report 2013, Report on organised crime, corruption and money laundering: recommendations on action and initiatives to be taken (final report). (2013/2107(INI)). Special committee on organised crime, corruption and money laundering, European Parliament, 26 September 2013.

[11] The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, adopted in 2000 and entered into force on 25 December 2003. As of October 2013, 158 countries are parties to the Protocol.

[12] Forced Labour Convention, 1930 (No. 29)

[13] Forced labour is clearly defined in the ILO Convention, as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily", while labour exploitation implies a benefit, monetary or otherwise, obtained by the exploiter from another's labour, under specific conditions. Trafficking for labour exploitation, as set out in the Palermo Protocol, is the crime of some form of facilitation of movement, by means of threat, force, deception, etc. (in the case of adults only), with the purpose of exploiting the victim's labour. It is evident therefore that it is inaccurate to use the three terms interchangeably.

Another significant challenge is that victims of labour trafficking do not always see themselves as such, largely due to differences in living standards and wage rates between sending and receiving countries, combined with the individual socioeconomic circumstances of the exploited persons in their country of origin. Furthermore, (potential) labour migrants do not commonly see the link between seeking a job abroad and the falling prey to exploitation; this is especially the case for migrants who come from poorly regulated economies, where grey economy and black market working conditions are common. It has also been observed that perpetrators are charged and convicted for crimes other than trafficking, such as fraud or deceit, as it might not always be possible to provide the evidentiary base for the trafficking offence. Remedies for restoring justice by upholding the social and human rights of the exploited should then also be sought within labour laws, building upon an understanding among investigators, prosecutors and judges and the criminal justice system might not be the only adequate way to respond to trafficking for labour exploitation.

A FRESH LOOK AT THE FOUR PS OF ANTI-TRAFFICKING

The approach to combating trafficking in human beings based on protection, prosecution and prevention dates back to initial attempts at coordinating international efforts against trafficking in human beings, culminating in the landmark adoption of the Palermo Protocol in 2000. A fourth P – partnership – was later added to the anti-trafficking paradigm[14] in order to reflect the multidisciplinary nature of the issue and the need for institutionalised cooperation across different sectors. It should be noted that, thirteen years later, the international community, as well as national stakeholders, have altered their perspective on what human trafficking is, and are paying more attention to aspects of trafficking that may have been neglected until recently. This becomes evident through legislative changes introduced at the national and supranational level[15]; at the

[14] The notion of partnership in the context of combating trafficking in human beings (THB) was introduced by the Action-Oriented Paper on strengthening the EU External Dimension on Action against Trafficking in Human Beings, November 2009. Available at http://register.consilium.europa.eu/pdf/en/09/st11/st11450-re05.en09.pdf

[15] In 2011, the European Union adopted Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, which is seen as an important step towards a more coherent, comprehensive and effective anti-trafficking policy. Available at http://ec.europa.eu/anti-trafficking/entity.action?breadCrumbReset=true&path=Legislation+and+Case+Law/EU+Legislation/Criminal+Law/EU_Directive

operational level, too, more initiatives are addressing different aspects of the crime of trafficking in human beings.[16]

PREVENTION

Prevention describes a comprehensive set of policies and activities that target a broad spectrum of professionals, the general public, as well as specifically identified risk groups. Thus prevention may take many different forms, from capacity building for frontline officers, to media campaigns, to targeted educational activities within potentially at-risk communities. A common form of prevention action are awareness-raising campaigns. These rely on strong imagery, both visual and mental, that are meant to alert the target groups to a specific problem. The images projected during awareness-raising and prevention campaigns have a multi-faceted effect: on the general public by presenting only one side of the problem, on service providers by limiting their target group of persons in need of protection, and lastly, on policy makers by offering a skewed perception of what policies are needed. Campaigns playing with the image of an exploited, petrified woman, usually young and undoubtedly vulnerable, have prevailed until recently, thus projecting a powerful image of who the victims of trafficking could be. Yet these stereotypes of who becomes a "victim" have also been evolving and changing.

For a long time it used to be predominantly women's rights or support organisations dealing primarily with related issues such as domestic violence and the integration of migrant women, or catering for female victims of war crimes, that were sending out some of the strongest messages on the issue of trafficking. The increased activities of such organisations reflected a much needed response to the negative sides of the feminisation of migration[17] which has been observed in recent decades, and which, due to the increased vulnerability of migrants to exploitation, exacerbated the problem of trafficking in women. Nevertheless, looking at trafficking for labour exploitation, it is evident that "the

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[16] For an overview of the EU-funded initiatives and projects on combating human trafficking, please refer to http://ec.europa.eu/anti-trafficking/EU+Projects/

[17] Multiple studies, including statistical evidence, exist on the feminisation of (international) migration. See, for example, the Remarks by William Lacy Swing , Director General, International Organization for Migration during the Debate of the High-level Plenary Meeting of General Assembly on the Millennium Development Goals, 22 September 201 0. Available at http://www.un.org/en/mdg/summit2010/debate/IOM_en.pdf

face of trafficking" is different, and indeed much more complex and even more diverse. Thus another switch in perspective is needed when looking at the problem, as the target groups for any campaign are different and policy makers also need to take other indicators of vulnerability into consideration.

A change in imagery applied in prevention (and identification) campaigns would reflect policy makers' enhanced understanding of the changing means of trafficking and exploitation – for example, it has been observed that psychological coercion is commonly used to replace physical violence over the exploited persons. Often the exploiters/traffickers do not deprive the abused persons of their entire income, in order to leave them with the impression that they are still earning something for their work or services. Indebtedness to the exploiter/trafficker, sometimes leading to debt bondage, is contracted through hidden costs, such as deductions for accommodation and meals, creating a dependency of the workers on their employer. This phenomenon is particularly relevant when discussing trafficking for labour exploitation. The lack of apparent physical coercion points to the need to place the emphasis on the element of exploitation itself, rather than on the means of coercion.

Most importantly, exploitative employers and traffickers abuse the position of vulnerability in which workers may find themselves. Vulnerability takes many shapes and forms and can last for different lengths of time. Clearly, some types of vulnerability are more conspicuous than others – the sheer physique of the exploited person can be an obvious one, as in the case of children or people with disabilities. Irregular migration status in a destination country is another situation that can be established relatively easily by the relevant authorities and serve as an indicator of potential exploitation. However, lack of knowledge of the local language and administrative procedures and belonging to a closely-knit community are some less obvious examples of possible situations of vulnerability.

The definition of trafficking in human beings (THB) contained in Article 3a of the Palermo Protocol introduces the notion of abuse of a position of vulnerability, yet without defining what "vulnerability" means[18]. In order to clarify the concept, the United Nations Office on Drugs and Crime (UNODC) issued a Guidance Note in 2012 on the "abuse of a position of vulnerability", in order to "assist criminal

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[18] „Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability."

justice practitioners in understanding and applying 'abuse of a position of vulnerability' (APOV) as a means of trafficking in persons."[19]

In tackling trafficking for labour exploitation, it is particularly important to focus on the different "faces" of vulnerability, in order to reach out to as many potentially exploited people and people vulnerable to exploitation as possible, and to ensure that the evidence collected and presented in court is as structured as possible. Recognition of the different possible types of vulnerability can also inform targeted prevention and identification campaigns. By exploring the different ways in which a person can find themselves in a vulnerable situation, the image of who the victims of trafficking for labour exploitation are will also gradually change and more directly reflect reality. For this purpose, it is perhaps useful to distinguish between several different types of vulnerability in order to cover a broader spectrum of potentially precarious situations.

ECONOMIC VULNERABILITY

People who fall prey to labour exploitation generally come from relatively disadvantaged socio-economic backgrounds or end up in economic distress along their migration route. Falling prey to criminal organisations, they enter a vicious circle of debts, vulnerability and dependency on the recruiter or employer. Economic vulnerability is easy to detect in the case of European Union citizens coming from different Member States. All statistics and analyses of the economic performance and living standards of the different EU countries show wide gaps between the top and bottom rungs of the development and economic ladder, commonly measured in GDP per capita or reflected in minimum and average wages. These gaps, most easily detectable along an East-West member state divide, underline the intensity of push and pull factors for people wanting to move from their country of origin to a different EU country where they would earn more. However, official current estimates show that there are still only about 3% of working-age EU citizens outside their country of origin, but within the EU.[20] EU Member States in the upper percentiles of the GDP scale

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[19] Guidance Note on 'abuse of a position of vulnerability' as a means of trafficking in persons in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, October 2012. http://www.unodc.org/documents/human-trafficking/2012/UNODC_2012_Guidance_Note_-_Abuse_of_a_Position_of_Vulnerability_E.pdf

[20] OECD Economic Surveys. EUROPEAN UNION. MARCH 2012, http://www.oecd.org/eco/49950244.pdf, p. 13

naturally attract more migrants[21], and are also the ones that chose to keep their labour markets closed for new Member States the longest. Thus the 3% of EU citizens working in another EU country, mentioned above, are not proportionally distributed across all EU countries and provide for stronger pressure on some economies.

SOCIAL AND CULTURAL VULNERABILITY

Especially in the case of migrant workers, coming from a particular national or ethnic background can be grounds for discrimination in the country of destination. Such discrimination, particularly in accessing the labour market, can increase these migrants' vulnerability to labour exploitation and trafficking, due to a lack of viable employment alternatives.

Furthermore, (especially newcomer) migrant workers are often dependent on networks, commonly within their own communities. Since the recruitment for labour exploitation already often takes place within these communities by acquaintances, relatives and others,[22] those migrants that have little access to the outside world are most prone to exploitation. Thus targeted prevention campaigns within such communities are of particular importance, in order to capitalise on the positive role diaspora can play in the prevention of exploitation and protection of migrant workers and minimise the negative one.

LINGUISTIC VULNERABILITY

Lack of (sufficient) knowledge of the language of the destination country will limit workers to their specific workplace, thus allowing for representatives of the employer(s) or recruiters to liaise between them and the surrounding communities. This makes it relatively unproblematic for information to be filtered through the mediators, allowing for easy control over the migrant workers. Often not

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[21] Refer to EUROSTAT statistics on migrants, available at http://epp.eurostat.ec.europa.eu/portal/page/portal/population/data/database

[22] This comes out as one of the main conclusions in the research conducted in Finland, Sweden, Estonia, and Lithuania on the exploitation of migrant workers, October 2013. Available at http://www.heuni.fi/Satellite?blobtable=MungoBlobs&blobcol=urldata&SSURIapptype=BlobServer&SSURIcontainer=Default&SSURIsession=false&blobkey=id&blobheadervalue1=inline;%20filename=HEUNI%20report%2075%2015102013.pdf&SSURIsscontext=Satellite%20Server&blobwhere=1381866523562&blobheadername1=Content-Disposition&ssbinary=true&blobheader=application/pdf

knowing the language of the country of destination and working on remote sites are sufficient prerequisites for migrant workers to enter a situation of extreme dependency, not only as far as their work is concerned, but also with regard to their subsistence. Furthermore, lack of proficiency in the local language can be compounded by a lack or a low level of awareness of legal and administrative procedures of the destination country.

LEGAL VULNERABILITY

Irregular migrants in particular, when attempting to enter the labour market of the host country, realize that their rights as workers are limited and that they thus remain constrained to the black labour markets. This puts them in a position of vulnerability with regard to their very status in the country of destination. A similar situation of vulnerability can also be created through smuggling of migrants. As recent tragic events on the southern sea borders of the European Union show, those most reliant on human smugglers are perhaps some of the most vulnerable to be trafficked – what starts off as a smuggling relationship in the country of origin can become a fully exploitative one in the country of destination. This likewise applies to asylum seekers, who often have to endure long waiting times until refugee status is granted, or, in the event of a negative pronouncement, a return decision is issued[23]. Rarely allowed to work legally during the waiting period, asylum seekers become vulnerable to exploitation on the black market of the host country.

No or little awareness of the legal system of the country of destination allows for easy deception in relation to the terms of a contract and other legal issues. Particularly for foreign workers with an uncertain or temporary legal status, such lack of awareness compromises their right to seek redress in case of exploitation. Perhaps surprisingly, situations of abuse of legal vulnerability also occur within the borders of the EU, and concern EU citizens. Loopholes in the legislative framework exist at the national, member state, and EU level. These loopholes are visible when it comes to the protection of workers; it is evident that the legislation is in place mostly to protect the economy, foster growth and encourage flexibility of labour markets. These, however, are the conditions under which exploitation

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[23] In line with Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, also known as the "Return Directive."

of workers (both national and foreign) might occur, as the demand for cheap labour remains largely unchecked. Such situations stem most commonly from the application of EU provisions on the status of self-employed persons and posted workers. Both categories of workers, as regular migrants, contribute to the economies of the destination countries by generating revenue, but at the same time often work in precarious conditions. A self-employed person is defined by the European Commission as someone "pursuing a gainful activity for their own account, under the conditions laid down by national law".[24] As regulated by the Posting of Workers Directive (Directive 96/71/EC), posted workers are those "employed in one EU Member State but sent by the employer on a temporary basis to carry out his work in another Member State."[25] For EU citizens for whom the labour market is not open everywhere, such as Bulgarians, Romanians and Croatians[26], both self-employed and posted-worker status are a way of gaining both the right to work and the right to reside lawfully long term on the territory of another member state, but may be open to abuse in some cases. Although registered as self-employed, workers would be treated as employed, and thus not as independent, by their employers, who would also avoid paying social and health insurance contributions. In an attempt to counter such abuses, several national and local authorities of countries where such practices have been identified[27] have published guidelines, checklists and information leaflets explaining the differences between being self-employed and being employed. However, such documents catalogue the fines and penalties that might be imposed on EU citizens engaged in a fake self-employed activity, but remarkably make little or no mention of potential exploitation of self-employed persons, or the implications with regard to their social protection. Ireland has gone a step further, issuing a Code of Practice on what it means to be self-employed[28], which, however, still stops short of mentioning exploitation as a possible concern.

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[24] http://www.eurofound.europa.eu/areas/industrialrelations/dictionary/definitions/selfemployedperson.htm
[25] http://ec.europa.eu/social/main.jsp?catId=471
[26] Currently 20 MS have their markets open for Bulgaria and Romania (19 for Romania), with 8 (9 for Romania) remaining off-limits until 1 January 2014. Thirteen EU MS impose restrictions on Croatian citizens, at the latest until 30 June 2020.
[27] The local government in Berlin put together a document available in German, Bulgarian and Romanian, available at http://www.berlin.de/sen/arbeit/schwarzarbeit/schwarz/index.html. In the UK, the Gangmasters Licensing Authority also issued a Brief explaining how the Gangmasters Licensing Authority (GLA) tests employment status: http://gla.defra.gov.uk/PageFiles/1021/GLA%20Brief%20Issue%2018%20-%20How%20the%20GLA%20test%20Employment%20Status.pdf
[28] Code of Practice for Determining Employment or Self-Employment Status of Individuals, available at http://www.revenue.ie/en/tax/rct/determining-the-correct-employment-status-of-a-worker.html

In order to reflect the strong correlation between the needs of legitimate employers, i.e. the demand for a flexible labour force and services, and the willingness of workers to respond to these needs, i.e. the supply of labour and services, it is perhaps useful to single out another category of vulnerability, namely market vulnerability. Increasing globalisation, and on a smaller scale labour mobility at the EU level, regulate labour markets by supplying cheap labour where there is a demand. However, it must be ensured that this interplay of supply and demand does not lead to exploitation and trafficking as a result of the circumstances of the market economy.

Protection

Arguments for a change of imagery in the prevention of trafficking for labour exploitation are equally applicable to the protection of trafficked persons. Together with the change in imagery discussed above goes the adaptation of profiles of service-providing authorities and NGOs. Such organisations should be encouraged to extend their services to men who have fallen prey to exploitation, with due consideration for their needs and specific profiles, as well as to women and children who have been targeted for labour rather than sexual exploitation.

As a first step, service-providing organisations gauge the "need for protection" of certain vulnerable groups and then consider the type of protection needed. As opposed to cases of trafficking for sexual exploitation, where the victims would commonly have endured severe psychological harm and even physical damage, persons exploited for labour are more likely to have suffered "economic damage" – working in substandard conditions for no or inadequate remuneration, along with "moral damage," whereby their dignity has been hurt and their human rights violated. In such cases the most efficient form of support is ensuring compensation for the workers and providing for the possibility to find another type of work – dignified, legal, and adequately remunerated – either by allowing for the acquisition of legal status in the country of destination, or by providing appropriate return or settlement support.

The prevailing image of the exploited person also presents challenges in providing protection. This is the case primarily because of the self-perception of persons exploited for labour, as exploitation is "contextually relative, particularly from the perspective of the victim"[29]. This relativity goes hand in hand with the

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[29] p.76, UNODC Issue paper, Abuse of a position of vulnerability and other "means" within the definition of trafficking in persons, April 2013

imagery of trafficking discussed above. It cannot be expected that a male labourer, often the head of the family, would admit to being identified in a vulnerable situation (or worse yet, as a victim). The same applies to older boys and young single men, whose self-image may be founded on their abilities and willingness to work. This leads to insufficient identification of persons trafficked for labour exploitation, including self-identification.

Furthermore, the capacities of service-providing organisations to take in and handle cases of trafficking for labour exploitation may be overstretched, as they need to refocus or expand their services to a different target group with different needs for which different resource allocation is needed. Here the question also arises as to whether such organisations would have the necessary procedures, operational capacity and resources to handle such cases. In this situation, migrant-supporting (often grassroots, low-threshold) organisations, deriving their experience from addressing the needs of particular communities, might be better placed to provide the necessary services.

The EU has a number of instruments for protection of workers and at the same time sanctions for employers. The rights of EU citizens to move, reside and work within the European Union are defined under the relevant framework.[30] Nevertheless, EU legislative documents that specifically contain provisions on the protection of victims of trafficking refer to the rights of third-country nationals. These include Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities and Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals. Additionally, EU member states and neighbouring countries have been increasingly designing and updating their national legislation to adapt to these supranational trends. While national laws have been drawn up to counter "social dumping",[31] which occurs when cheap (unregulated) labour migrants take up employment, such laws do not necessarily aim to protect workers' rights by preventing exploitation.

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[30] http://ec.europa.eu/social/main.jsp?catId=474&langId=en
[31] One example is the Austrian Sozialdumpingbekämpfungsgesetz (Law on Combating Social Dumping), which entered into force on 1 May 2011, the day restrictions for citizens from the 10 countries that joined the EU on 1 May 2004 were lifted. Available at: http://www.arbeitsmarktoeffnung.at/servlet/ContentServer?pagename=S04/Page/Index&n=S04_80.2.4, accessed 25.10.2013.

Prosecution

Prosecutors who rely on the evidence collected in cases of trafficking are for their part also affected by images created through the general discourse on trafficking. As mentioned above, numbers of prosecutions for trafficking for labour exploitation are very low, both worldwide and within the EU. The reasons for these low numbers are myriad. On the one hand, legislation varies tremendously among countries, even though most have ratified the Palermo Protocol and transposed its definitions into national legislation. At the EU level, the harmonisation processes have been facilitated by the introduction of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, also known as the THB Directive. This Directive "adopts an integrated, holistic, and human rights approach to the fight against trafficking in human beings"[32] and "observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union and notably human dignity, the prohibition of slavery, forced labour and trafficking in human beings."[33]

As of October 2013, 18 out 28 EU Member States have fully transposed the Directive into national legislation, and two others have done so partially[34]. Before the harmonisation proposed by Directive 36, even within the European Union the definition of human trafficking spanned from "conditions contrary to human dignity"[35] in Belgium to placing the emphasis on "selling" and "purchasing", as defined until recently in the Hungarian Criminal Code.[36] Furthermore, a universally accepted definition of trafficking for labour exploitation is lacking. The ILO conventions dealing with the issue of forced labour have not been explicit on the dividing line between forced labour, labour exploitation and trafficking for labour exploitation. A discussion on the relation between those three terms is now ongoing at the transnational level. In its Report for discussion at the Tripartite Meeting of Experts concerning the possible adoption of an ILO instrument to supplement the Forced Labour Convention, 1930 (No.29) of February 2013, the ILO raises the following point for discussion: "What is the relationship be-

[32] Recital 7, Directive 2011/36/EU.
[33] Recital 33, Directive 2011/36/EU.
[34] Statement by Commissioner Malmström on EU Anti-Trafficking Day, Brussels, 17 October 2013, available at http://europa.eu/rapid/press-release_MEMO-13-908_en.htm
[35] Article 433, section 5 of the Belgian Criminal Code
[36] Hungarian Criminal Code, which was in force until 30 June 2013. The new law, which entered into force on 1 July 2013, uses a definition of THB harmonised with the one in Directive 2011/36/EU.

tween forced labour and trafficking in persons? What regulatory gaps, if any, exist regarding trafficking in persons, and is there a value added in the ILO addressing these gaps by means of standard setting?"[37] These questions will be discussed at the upcoming 103rd Session of the International Labour Conference in June 2014.

Furthermore, when thinking about trafficking in human beings one commonly considers the organised crime side of it, whereby the act of trafficking is conducted by criminal enterprises often involved in other crimes as well, such as drugs trafficking. This assumption is underlined by the existing international THB legislation, starting with the Palermo Protocol, which supplements the United Nations Convention on Transnational Organised Crime. That is also one of the reasons why the criminal justice response is prevalent in fighting trafficking in human beings. Yet, similarly to the approach suggested above with the other Ps, a change of imagery within the prosecution framework is needed when addressing trafficking for labour exploitation. The image of a "professional" criminal who exploits women for sex work should be complemented by the faces of employers (e.g. farmers, factory, restaurant and hotel managers, construction site foremen and construction companies), who may run what appear to be entirely legitimate businesses but who use the labour or services of exploited and trafficked persons. Adjusting the image of the perpetrator by recognising the diversity of people who may fall into that category would contribute to the collection of evidence, which in turn can facilitate the work of the prosecution and prompt a move away from criminal provisions and towards utilising options provided by labour law.

Because of the lack of complete legal clarity in existing primary legislation, it is crucial for each country to develop clear jurisprudence on labour exploitation, allowing for interpretations to be used for future cases. Collecting and systematizing cases that are different in nature can give a more comprehensive overview of the broad circumstances under which labour exploitation may occur. Focusing on a definition per se might consequently even prove limiting to the scope of prosecution, whereas a previously existing array of interpretations might be helpful in finding the right judicial path to a conviction. Case law should be established both nationally and internationally, and precedents should be created for the future reference of prosecutors.

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[37] http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/meetingdocument/wcms_203982.pdf, p. 40

In order to make the change of imagery more sustainable, it should be incorporated into capacity-building activities for both prosecutors and judges, as well as into standard operating procedures for institutionalised cooperation with (specially trained) investigators and labour inspectors[38]. Stakeholders that have been included in the "anti-trafficking community" relatively recently, among them labour inspectors, migrant-supporting organisations and others, are particularly affected by the prevailing imagery of victims' profiles. If they have been confronted by the popular images of potential trafficking victims most commonly presented by media and public campaigns, these professionals may not be able to clearly see their role in the chain of prevention, identification and protection of trafficked persons.

Partnerships

Often there is a lack of understanding on the part of some stakeholders at the national level of their role in the anti-trafficking process and a consequent reluctance to take on new responsibilities. This is most commonly seen among national institutions, agencies that until recently have not had much to do with the issue of trafficking because of their specific mandates. For example, labour inspectorates are often only responsible for occupational safety and health, or are obliged to ensure the legality of contracts in the workplace. Similarly, employment agencies are also in charge of placing workers with secure contracts and complying fully with legal provisions, and thus may not consider the issue of trafficking for labour exploitation as something of concern to them. To some extent this reluctance is due to the image that individual officials have of what trafficking is, and the institutional understanding of the problem. It is also connected to lack of knowledge and know-how on how to tackle the issue within the framework of their own mandate. For example, a labour inspector will not see a role for themselves in combating trafficking if they see it only as an issue relating to women and girls exploited for prostitution. Similarly, representatives of a state employment agency may not see their role in preventing trafficking and exploitation abroad by sticking to their narrow mandate of advertising and allocating legally contracted work. It is highly important to be aware of everybody's role and tasks in the process, from identification through protection to judicial proceedings. Intensifying such contacts includes reaching out to employers' unions, recruitment agencies, trade unions and private companies (employers).

[38] In Italy, some carabinieri (police force) also carry the mandate of labour inspectors, thus combining the duties of both professional groups and ensuring a more comprehensive take on the issue of trafficking for labour exploitation.

As with governmental stakeholders, it is the eventual institutionalisation of such contacts and networks that will have a concrete effect on the efforts against trafficking for labour exploitation. An understanding of business's profit-oriented perspective is a reasonable point of departure for initiating a relationship focused on the protection of workers' rights, especially migrants and those with lower skills.

One much-cited example of such a system of coordinated interaction is the Dutch Barrier Model[39], which provides an overview of the roles and responsibilities of all involved actors. Involving a broad range of agencies in addition to law enforcement authorities, it will contribute to earlier detection and provide additional legal and administrative instruments to tackle the issue. Labour inspectorates are a case in point, but certainly not the only example.

Many more institutions can play a positive role than have thus far been identified. Here one can consider including, in addition to labour inspectorates, refugee agencies, immigration and naturalisation authorities, consulates, customs authorities and financial police, but also hospitals, social services, etc. Knowing the relevant partners at every step of the process is essential to cooperation with both national and regional/international partners. At the international level, a transnational referral mechanisms (TRM) model[40] which reflects the need for adequate referral of victims of all types of exploitation, including labour exploitation, would be a useful tool. What is already challenging at the national level becomes even more complicated at the EU or transnational level. Differing mandates, decentralised responsibilities, and often incomparable legislative frameworks create confusion among agencies and professionals who could benefit from cooperating with each other. Often these differences prevent the transfer of good practices from one country to another. It would be useful to create an interactive online reference tool to serve as a reference point regarding the powers of equivalent institutions across the EU and neighbouring

[39] Please see the schematic representation of the Dutch Barrier Model at http://www.icmpd.org/Capacity-Building-for-Combating-Trafficking-for-Labour-Exploitation-CB-LAB.2388.0.html.
[40] A Transnational Referral Mechanism (TRM) refers to mechanisms and the associated procedures designed for the comprehensive assistance and transnational support of trafficked persons. Transnational referral mechanisms integrate the process of referral from initial identification through to return and assistance between countries of transit, destination and origin and involve cooperation between different government institutions and non-governmental actors. A model for the Transnational Referral of Trafficked Persons was developed by the International Centre for Migration Policy Development (ICMPD). Two editions of the Guidelines for the Development of a Transnational Referral Mechanism for Trafficked Persons, one for South-Eastern Europe (2009) and one for the European Union (2010), have been published. Available at http://www.icmpd.org/Publications.2424.0.html

countries.[41] Furthermore, such a tool would be a useful guide in preventing exploitation, as it would clarify the rights and responsibilities of EU citizens looking for jobs in other EU countries. The European Job Mobility Portal (EU-RES) already serves a similar purpose, yet a greater emphasis on prevention of exploitation might be needed.

In partnership with state supervisory organs, legitimate recruitment agencies may act as regulators of their business by raising awareness of the importance of using established recruiters when looking for a job and the dangers of using dubious mediators. Especially from a business perspective, where most companies are unaware of the effect that third-party labour providers (recruiters and mediators) have on supply chains, it would be useful for the state to provide for closer regulation of recruitment agencies in order to preclude abuse of their mediatory role.

The media can and should also be instrumental in the change of imagery proposed above. Thirteen years after the adoption of the Palermo Protocol, the media still often confuse the terms "trafficking in human beings" and "smuggling of migrants", and use "trafficking for labour exploitation" and "forced labour" interchangeably. Often certain images "sell" better, providing for more sensational headlines. That is why involving the media in public-private partnerships, along with organising targeted capacity-building events for journalists and reporters may help alter the imagery applied. This will in turn have an effect on the general public, especially on those whose only awareness of the issue derives from media reports.

Sustainable partnerships are not easy to establish and maintain. This is especially the case when involving private-sector actors in the anti-trafficking network. One notable attempt at the transnational level is the Global Business Coalition initiative, created to "mobilize the power, resources and thought leadership of the business community to end human trafficking, including all forms of forced labour and sex trafficking."[42] It is worth considering what approach would be more effective in bringing businesses on board for a sustainable partnership: a top-down approach, through which policy makers regulate and oblige businesses to comply with certain human rights standards, also foreseeing sanctions in case of lack of compliance; or a bottom-up approach, according to which companies themselves initiate change in their business

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[41] The Internal Market Information System (IMI) tool has a similar idea, but solely in support of the internal market.
[42] http://www.gbcat.org/

practices. Different approaches are probably applicable to different national circumstances. A pioneering example from the USA is the California Transparency in Supply Chains Act of 2010, which requires "retail sellers and manufacturers doing business in the state to disclose their efforts to eradicate slavery and human trafficking from their direct supply chains for tangible goods offered for sale, as specified."[43] A similar discussion is currently going on in the UK in the context of the proposed Modern Slavery Bill, whereby British proponents of this approach are suggesting even stricter provisions concerning supply chains.[44]

THE FIFTH P – POLICY DEVELOPMENT. RECOMMENDATIONS

The first step to tackling an issue is recognising it and, where possible, measuring it. Evidently the problem of trafficking in human beings for labour exploitation is not a novelty; it has just begun to be more widely recognised, and, since the 1990s, to be defined as human trafficking. In order to address trafficking for labour exploitation more effectively, the existing THB framework and discourse need to be adjusted by introducing an overall change of imagery in the concepts and measures applied. The recommendations below outline three aspects of policy development, focusing on streamlining legislation, involving the private sector and considering the full spectrum of exploitation. Policies comprising these elements would provide a more comprehensive approach to the issue of trafficking for labour exploitation.

Streamlining national legislation and THB strategies countering THB for labour exploitation

A number of legal instruments cover trafficking in human beings and related issues, both at the national and transnational level. Tools and instruments commonly deployed usually include national action plans, national strategies for implementation, task forces, guidelines and training manuals for a range of target groups. Nevertheless human trafficking is still a phenomenon that takes place on a massive scale. Thus an adequate response at this stage requires a "second wave"[45] of anti-trafficking commitment. Countries should develop an updated and intensified approach to the issue, based on the evolving paradigm of combating trafficking.

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[43] http://www.state.gov/documents/organization/164934.pdf

[44] http://www.theguardian.com/global-development-professionals-network/2013/sep/19/why-compliance-isnt-enough

[45] As mentioned by Maria Grazia Giammarinaro, Special Representative and Co-ordinator for Combating Trafficking in Human Beings, OSCE in her intervention during Session II of the Final Expert Seminar of the project "Capacity Building for Combating Trafficking for Labour Exploitation", Vienna, 3-4 June 2013

Mainstreaming the issue of exploitation of vulnerable workers, both foreign and national, into labour, social, and migration policies is a necessary step forward, as is integrating anti-trafficking policies into a broader discourse on related matters. Besides existing European instruments on the rights of workers, sanctions on employers and the protection of victims, European states may need to turn to international conventions (e.g. the Convention on Domestic Workers) and other relevant international instruments which set (labour) standards in certain sectors that could possibly be transferred to other sectors. Selection of the appropriate instruments and support mechanisms needs to be based on the concrete needs of those who are subject or vulnerable to exploitation.

Constructing the "business case" for combating human trafficking
A discrepancy is easy to discern between the innate endeavours of the private sector to generate higher profit margins and the willingness and obligation to observe and protect human and labour rights of workers. That is why there is an on-going discussion among policy makers, practitioners and scholars on how best to include businesses in addressing trafficking in human beings. In this context, it may be helpful to look at the issue from a purely economic (business) point of view. Constructing the business case means creating an incentive for business leaders and employers to acquire knowledge about grave abuses such as human trafficking – and act upon it. An economic analysis of the opportunities and costs of complying and even promoting human rights across the entire supply chain should be conducted, starting with specific countries or industry sectors. Often the business striving for profit and low production costs cannot find common ground with the demands for more humane labour conditions and better treatment of foreign and national workers. Government authorities may need to come to the realisation that it is not underpaid and exploited workers who intentionally become involved in social dumping; it is rather businesses for which monitoring of compliance, sanctions and application of sanctions is not sufficient. It is these businesses that offer such jobs to those in a position of vulnerability. The prospect of tax evasion and savings to be made from non-payment of social welfare and health insurance contributions may act as an incentive to businesses to use cheap, unprotected, or even exploited labour. As discussed above, the private sector must instead be seen as a reliable long-term partner, ideally allowing for the sector to act on its own initiative. Businesses are naturally very careful when calculating risks to their operations that may result in a loss of profit, but many still see risk as an entirely financial or operational concept, without looking at the "human risk", that is, the risk of abuse of human and labour rights.

There is also no need to look for large-scale incidents or cases of trafficking for labour exploitation. The extent of exploitation which may occur in large industrial plants and factories in China, Bangladesh or India may not be found in Europe; however, the focus should be on each individual case of exploitation and not on the sheer number of victims identified. This would also include looking at people exploited in the homes of others for the purpose of domestic servitude. In order to avoid insufficient/uncategorised information on related issues, such as labour supply and demand within and outside the country, along with a sectoral analysis of the opportunity costs for businesses to act responsibly with regard to human and workers' rights, a labour market analysis is also needed. The possibilities for exploitation correlate directly with gaps in the regulation of certain sectors, as well as with asymmetric supply and demand for labour.

The realisation that the actions of (inter)governmental agencies are not nearly sufficient to tackle the breadth of the issue of labour exploitation is also by now commonplace and should be translated into practice. It is often large companies with Corporate Social Responsibility (CSR) programmes that address the issue as a component of one of the three pillars of CSR, the triple bottom line of economy, environment and social affairs. The time has come to work more intensively on the social side of CSR.

Drawing the line

As discussed above, forced labour, labour exploitation and trafficking for labour exploitation are commonly used interchangeably, especially in the policy discourse on the issue. This means that drawing the line between minor offences and violations of labour rights, on the one hand, and severe exploitation amounting to trafficking in human beings, on the other, continues to pose a challenge. In order for each of these crimes to be tackled as effectively as possible, a distinction has to be made at the earliest when designing assistance and protection measures and considering redress for the exploited persons, and at the latest at the point of collecting evidence to be presented in court. In order to successfully prevent THB for the purpose of labour exploitation (including prostitution where it is recognized as sex work) it may be useful to approach the issue from a different angle, i.e. to look at the above-cited "minor offences" instead of focusing on extreme cases, as well as taking into consideration the broader context of supply and demand for cheap labour, new markets and cut-price products. Furthermore, a shift away from framing exploitation in the context of migration should be considered, as exploitation affects both migrants and non-migrants. This element is particularly important in the context

of EU policies, where EU citizens living and working in another EU state are not defined and treated as migrants, but are rather entitled to the same rights as national workers.

The change of imagery proposed in this essay is intended to be helpful to all those involved in tackling the crime of trafficking for labour exploitation – from service providers and regulatory authorities to police officers, prosecutors and policy makers. Furthermore, policy development in the area of labour exploitation, systematically thought through with due consideration of projected future trends, must be a focus for policy makers, experts and scholars, in order to enhance policy coherence across the different fields concerned with trafficking in human beings, such as migration policies, labour mobility policies, employment policies and even asylum policies. Enhanced policy coherence ensures that the network of professionals who see the protection of human and labour rights and the prevention of exploitation and trafficking as part of their job continues to grow, gaining further allies to help identify and prevent violations, to protect victims, and to prosecute exploiters and traffickers. Combating labour exploitation and trafficking for labour exploitation should be perceived as the concern of anyone who comes into contact with it.

┌─ **AUTHOR** ─

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05

International Migration and Multilevel Governance in Europe

Rinus Penninx

EUROPE: FROM EMIGRATION TO A CONTINENT OF IMMIGRATION …

While Europe used to be predominantly an emigration continent until and in-cluding the 1950s, it has become an immigration continent since then. The number of foreign-born residents rose from an estimated 23 million in 1985 (United Nations 1998: 1) to more than 56 million, or 7.7 per cent of the total European population, in 2000. When we look specifically at the European Un-ion (at present 28 members), these figures are higher: according to Eurostat, in 2011 nearly 49 million of the total of 504 million inhabitants of the EU (some 10%) were born outside the country where they presently live (Eurostat 2012: 1). These figures include only the legally residing foreign-born persons.

Historically, immigration started in the countries of North-Western Europe. Other countries such as Italy, Spain, Portugal, Greece, Ireland, Norway and Finland, which used to be emigration countries until the 1980s, started to experience significant immigration in the 1990s and 2000s. Still other countries, among them most of the new EU Member States that acceded in 2004 or after, are experiencing emigration, transit migration and immigration at the same time. Europe has de facto become an immigration continent.

The pattern of origin of migrants in Europe has changed in the course of time. Up to the 1980s, migrants could conveniently be grouped under three headings: a) migration with a colonial background that connected certain European countries to their former colonies; b) labour migration that connected a number of `recruiting countries' to a limited number of `sending countries', and c) refugee migration that was strongly dominated by migration from Eastern to Western Europe. In terms of the origins of immigrants this led to geographical patterns of migration that embraced Europe and the Mediterranean countries, plus a limited number of (former) colonies. That picture has changed completely since the 1980s. The new geography of migration shows immigrants coming to Europe from all over the world in significant numbers: (posted) expatriates working for multinational companies and international organisations, skilled workers from all over the world, nurses and doctors from the Philippines, refugees and asylum seekers from African, Near Eastern and Asian countries, from the Balkans and the former Soviet Union, students from China, and undocumented workers from African countries, just to single out some of the major immigrant categories.

Another recent characteristic is the feminization of labour migration. The gender patterns of labour migration have changed significantly: higher rates of women are migrating independently for labour purposes, and not as dependants for family reunification. This corresponds to a significant extent with the development of specific labour market niches, such as domestic services, care and nursing, and the sex industry.

The new migration to Europe is not only much more diverse in origin, the type of mobility has also changed significantly in the globalised context: increased short-term stays like those for seasonal work in agriculture or tourism, for study, and sunbelt migration of pensioners, but also longer stays by employees of international organisations, multinational enterprises and highly-skilled people in general. One could bring these migrants together under the category of the "wanted" travellers and movers. Their mobility is facilitated, if not promoted. But there are also unsolicited others who independently decide to look for an economically better and/or politically safer new destination to move to. Paradoxically, for this category of migrants national borders and the sovereign right of states to decide on admission of non-nationals have gained importance. For the non-invited migrants, new and higher barriers have been erected.

UNWILLING IMMIGRATION COUNTRIES:
NATIONAL REACTIONS TO IMMIGRATION

A predominant characteristic of European states is that they have consistently defined themselves as non-immigration countries in the very period when Europe has de facto become a continent of immigration. Any rhetoric about being a 'nation of immigrants', as is usual in classic immigration countries like Canada, Australia and the United States, has been completely absent in Europe. On the contrary, consistent and explicitly anti-immigration rhetoric[1] has been a constant factor in Europe, despite the fact that quite a few European countries in recent decades have had higher immigration rates than, for example, the United States of America[2].

This particular framing has had pervasive consequences, above all with regard to how the de facto immigration has been perceived and labelled. Many newcomers received special labels that legitimised their arrival, but they were not called immigrants. In the Netherlands, for example, the sizeable group of immigrants from the former Dutch Indies following the independence of Indonesia in 1949 came to the Netherlands under the label of `repatriates'[3], the workers from the Mediterranean area were defined as `guest workers', expressing the intended temporary nature of their stay, and the migrants from Surinam (Dutch Guyana) and the Dutch Antillean islands in the West were (until 1975) `Overzeese Rijksgenoten' (fellow overseas citizens, part of the Dutch Kingdom). In Germany, the inflows from the East in the decades after WWII were received under the labels Übersiedler (from the GDR to the FRG) or Aussiedler (in principle Germans who had settled elsewhere in the past) `coming home' or refugees; and there was the significant category of Gastarbeiter whose label indicated the expectation that their stay would only be temporary.

A consequence of countries defining themselves as a non-immigration country was that after the first oil crisis of 1973 increasingly restrictive admission

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[1] Jeroen Doomernik & Michael Jandl (eds) (2008), Modes of Migration Regulation and Control in Europe. IMISCOE Reports. Amsterdam: Amsterdam University Press.
[2] In 2011, eight of the 27 EU countries had a higher percentage of foreign-born residents than the USA had in 2010. See: Eurostat (2012), Population and social conditions. Statistics in focus 31/2012 for statistics on foreign and foreign-born population in EU and EFTA countries). The latest figure for the foreign-born population in the USA, based on the 2010 Census, amounted to 12.9 % (`The Foreign-Born Population in the United States 2010'. American Community Reports, May 2012).
[3] Some 300,000 came from the former Dutch Indies between 1945 and 1962; most of them had never been `in patria' before.

policies were introduced, to start with mainly for `economic migrants' (i.e. the guest workers). This was justified initially by the decrease in demand for migrants, particularly lower-skilled ones. But the de facto closure to new migrant workers also caused an increase in supply-driven migration. This supply-driven migration presented itself firstly (in the second half of the 1970s and the first half of the 1980s) in Germany, the Netherlands, Belgium, Austria and France, particularly under the policy category of 'family reunion' (and 'family formation') of the temporary workers, whose supposedly temporary stay was taking on the characteristics of more permanent settlement. Return to their home country was not an attractive option, notwithstanding the sticks and carrots that were offered, particularly in Germany under the Return Promotion Programmes of the late 1970s and 1980s.

From the mid-1980s onwards, a new supply-driven migration announced itself in Western European countries in the form of asylum seekers. This increasing inflow of unsolicited newcomers culminated in the early 1990s in the `asylum crisis'[4] and provoked new restrictive measures and controls on entrance and admission. These restrictions in turn led to a spiralling rise of 'innovative' new forms of entrance, like smuggling and trafficking, which in turn generated new control-oriented requirements and procedures (for asylum and family migration). New dynamics thus developed, and new actors were brought into play[5]. Immigration was increasingly criminalised, as the tougher regulations by definition led to more illegality and irregularity. International political terrorism, furthermore, brought migrants into focus from a security perspective[6]. Migration thus became associated first and foremost with problems and threats and as such has risen to the top of the political agenda in many EU countries in recent times.

The ideology of not being an immigration country also had consequences for settlement and integration policies. North-West European countries 'solved' the contradiction – of not being countries of immigration, while simultaneously receiving significant inflows – by defining these migrants either as a priori members of society, as in the case of the `repatriates' in the Netherlands and

[4] In the four years from 1990 to 1993 the number of new asylum applications surpassed an annual level of 400,000 in the European Union.
[5] See, for example, Ilse van Liempt (2007), Navigating Borders: Inside Perspectives on the Process of Human Smuggling into the Netherlands. IMISCOE Dissertations. Amsterdam: Amsterdam University Press.
[6] For an analysis of parliamentary debates on increasing controls on immigration in the UK and the FRG, see Bastian Vollmer (2010), Policy Discourses on Irregular Migration in Germany and the United Kingdom, 1973-1999. PhD dissertation. Amsterdam: Faculty of Social and Behavioural Sciences, University of Amsterdam.

Übersiedler or Aussiedler in Germany, or defining them as 'temporary guests'. In the former case, full citizenship was offered (in the Dutch case, it was even a condition for admission) and a fully-fledged reception programme aiming at speedy re-integrative assimilation was put in place. In the latter case of the guest workers, however, it meant limited facilities for accommodation in anticipation of their eventual return. For this sizeable group of `guests', time increasingly created a contradiction of expectations: many guest workers actually stayed for good and formed communities that grew by using their right to bring in their families and spouses. Most governments in Europe that had recruited guest workers, however, maintained the illusion of return until the turn of the century and confined themselves to ad hoc adaptive measures, leaving the responsibility of integration in practice to organisations in civil society, such as trade unions, churches and welfare organisations[7].

The picture of migration and related policies that I have outlined here is strongly based on developments in the Western European countries. South European states have a much more recent experience of immigration and integration. For most of the twelve new members of the European Union that acceded in 2004 or later, the topic of migration and integration is relatively new and takes multiple forms: emigration, immigration and transit migration co-exist in most of these countries[8].

THE EUROPEAN UNION'S MIGRATION PARADOX

The preceding general description of the development of migration and migration policies in Europe is based on (nation-)states as basic units of analysis. But there have also been significant supranational forces in Europe that have influenced international migration in a unique way. They stem from a 60- year process of gradual economic and political integration in Europe that started as

[7] See Rinus Penninx (2005), 'Integration of migrants: Economic, social, cultural and political dimensions', pp. 137-152 in: M. Macura, A.L. MacDonald and W. Haug (eds), The New Demographic Regime: Population Challenges and Policy Responses. New York/Geneva: United Nations.

[8] See for example Richard Black, Godfried Engbersen, Marek Okolski & Christina Pantiru (eds) (2010), A Continent Moving West? EU Enlargement and Labour Migration from Central and Eastern Europe. IMISCOE Research. Amsterdam: Amsterdam University Press, and Marek Okolski (ed.) (2012), European Immigrations: Trends, Structures and Policy Implications. IMISCOE Research. Amsterdam: Amsterdam University Press. Interestingly, such a situation has also developed in so-called 'sending states' like Morocco and Turkey. For Turkey see Ahmet İçduygu & Kemal Kirişci (eds) (2009), Land of Diverse Migrations: Challenges of Emigration and Immigration in Turkey. Istanbul: Istanbul Bilgi University Press.

early as 1951, when the Treaty of Paris instituted the European Coal and Steel Community (ECSC)[9], which developed into the European Economic Community (EEC) by means of the 1968 Treaty of Rome and to the European Community (EC) established by the Single European Act of 1985. What was crucial in these developments from our point of view was that the free circulation of (initially) workers and (later all) citizens of (the growing number of) Member States became an essential element of an internal market. The Single European Act foresaw the removal of all physical, technical and fiscal barriers to be implemented by 31 December 1992 between by then 12 Member States. Such an opening up (de facto abolition) of internal borders, however, meant that the Community would henceforth share a common external border. That in turn meant that visa policies, admission of third-country nationals and asylum policy should be coordinated. The decision to abolish internal borders necessitated common policies towards third-country nationals: however, Member States were hesitant to give up their sovereignty in this domain, although the upcoming "asylum crisis" and the pressures of supply-driven migration in general pushed some states towards common (restrictive) policies[10].

In 1993 the Maastricht Treaty created the European Union (EU) as the successor of the EC. The EU created a European Union citizenship and granted full freedom of movement to all citizens of Member States. It completed the earlier developments towards free movement between Member States in the sense that all obstacles to such movements were taken away and equal access to facilities was guaranteed. Moving between Member States within the borders of the EU, which used to be defined as international migration, had effectively become internal migration. Under this new regime the EU expanded further to 15 states in 1995.

However, the complete freedom of movement and the de facto abolition of borders within the EU had also made it necessary to coordinate Member States' policies relating to the admission of third- country nationals. The Amsterdam

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[9] Goedings made a detailed historical analysis of the origins of the free circulation of workers in the early period of economic cooperation in Europe from the 1951 Treaty of Paris until the 1968 Treaty of Rome, showing that it has been Italy in particular that has consistently pressured negotiations to include the free circulation of workers: see Simone Goedings (2005), Labor Migration in an Integrating Europe. National Migration Policies and the Free Movement of Workers, 1950-1968. The Hague: SDU.

[10] Five countries (France, the FRG and the Benelux countries) were moving quickly towards open borders and already in July 1985 signed the Schengen Treaty, which envisaged a system of international border controls and checks, a common asylum procedure and information exchanges on asylum and unwanted migrants, to be implemented by 1 January, 1990. The Schengen model later became the standard for the EU.

Treaty of 1997 specifically stipulated that five years after its ratification (i.e. by May 2004) asylum and migration should have become communitarian policy (thus being moved from the third pillar of intergovernmental collaboration to the first pillar of communitarian EU governance) and that existing policies and practices would have been harmonised. This goal was reaffirmed at the Tampere Summit of ministers responsible for such policies in 1999, which also formulated the explicit ambition that third-country nationals who are long-term residents should be granted rights that come as close as possible to those of EU citizens.

Indeed, by May 2004 agreements of two kinds had been reached[11]. The first amounted to a synchronization of restrictive policies aimed at combating illegal immigration and keeping potential asylum seekers at bay, together with the harmonization of asylum policies. The Schengen Agreement and Dublin Convention had at that stage been made part of Community law. These new policies – represented by the great majority of Directives developed between 1999 and 2004 – focused on the perceived problematic nature of (unsolicited) immigration by third-country nationals and tended to develop restrictive immigration policies reflecting the lowest common denominator of the member states. The second kind – represented by a small set of EU directives – served to improve the position of third-country immigrants. They included a directive on the immigrants' right to family reunification[12] and on their free movement between Member States (after five years of legal residence)[13]. On balance, , as observers have remarked, the interests of the member states have been served much better in the harmonization process than those of the immigrant EU residents[14].

In summary, the European Union has become a significant new political and policy unit at the supranational level, which has created completely new regimes for international mobility and migration in Europe. On the one hand, the early (Western European) EU members have transposed their national policies into common restrictive admission policies in relation to potential immigrants

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[11] See: J. van Selm and E. Tsolakis (2004), The Enlargement of an `Area of Freedom, Security and Justice': Managing Migration in a European Union of 25 Members. Policy Brief, May 2004. Washington: Migration Policy Institute.

[12] Council Directive 2003/86/EC of 22 September 2003.

[13] Council Directive 2003/109/EC of 25 November 2003.

[14] See Van Selm & Tsolakis op. cit. According to Groenendijk & Minderhoud (2004, 139 ff) some 50 proposals for Directives were made during the first four years after the enactment of the Amsterdam Treaty in May 1999. Of these 50, only 23 became binding regulations. These 23 relate to borders and visa (11), illegal immigration and expulsion (6), asylum (5), and only one to legal migration. The topics on this list reflect the dominant preoccupation with control-oriented migration regulation at the EU level.

(economic migrants, family migrants and asylum seekers) from non-EU countries. Furthermore, they have made these policies the `standard' for new members of the Union: the acquis requires the new members to build legislation and institutions in conformity with established EU policies in this domain. This strand of EU policies has been characterized by critics as the `Fortress Europe policies'.

On the other hand, the EU created a fundamental right to move and settle within the EU area for EU citizens and long-term third-country residents of its Member States. The total area of free movement in the EU now covers 28 countries with a total population of more than half a billion inhabitants, about 10 % of whom were born outside their country of residence. An increasing share of these immigrants are "internal EU migrants". This increase is due on the one hand to the fact that citizens from new accessor states resident in other EU states change status at accession: from TCN to citizen of a Member State. On the other hand, we see that in the last decade immigration of TCNs in the EU has decreased, while immigration of citizens of Member States has increased (Eurostat 2011: 16-18; Urso & Schuster 2011)[15]. The financial and economic crisis of the late 2000s has reinforced the dominance of intra-EU migration. Germany is a strong case in this respect (Sachverständigenrat 2013: 54 ff): while in 2004 the number of new immigrants in the FRG was divided approximately 50/50 among those coming from the 26 EU partners and TCNs, this percentage shifted gradually to 63.4 % from EU countries and 36.6 % TCNs in 2011. Recent immigration figures of other Member States also indicate such a trend towards stronger internal EU migration. The sharp increase in unemployment in the Southern EU countries and Ireland may further contribute to this in the near future.

THE LABYRINTH OF EUROPEAN UNION INTEGRATION POLICIES

We have seen above that in Europe in the 1980s and 1990s there was a growing contradiction between the facts of immigration and the norm of not being an immigration country. In some cases this tension led to early, strongly rights-based integration policies, covering not only the socio-economic but also the political and cultural spheres of life, such as those of Sweden (since the mid-1970s) and the Netherlands (since the early 1980s). Most national governments in Europe

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[15] Urso & Schuster 2011, p. 17: "Another trend (..) is the increasing percentage of EU nationals among migrants. In absolute terms, they have registered the highest increase, namely 470,000 (+ 3.8%), which is in line with the continuous growth in previous years (= 13.3 % from 2008 to 2011)".

that had recruited guest workers, however, maintained the illusion of return till after 2000 and confined themselves to ad hoc adaptive measures, leaving the responsibility for integration in practice to the local level of cities and to organisations in civil society, such as trade unions, churches and welfare organisations[16].

When, in the increasingly politicised climate of the late 1990s and 2000s, integration policies at the national level were finally introduced in those countries, the term integration started to take on a different, specific meaning. Where earlier policy conceptions, such as those used in Sweden and the Netherlands, had been rights-based and aimed at structural integration, the new conception focused increasingly on cultural integration as an obligation for immigrants: cultural and value-based commonalities were thought to be essential for social cohesion. Acquisition of citizenship – which had been seen earlier in Swedish and Dutch policies as an instrument that would facilitate structural integration – was now increasing redefined as the crowning element of a finalised process of cultural adaptation. This new cultural conception of integration for migrants also led to questions of how the society into which newcomers (should) 'integrate' essentially defined itself. The claims and outcomes of such discussions about the 'identity' of receiving societies (as modern, liberal, democratic, secular, equal, enlightened, etc.) were translated into civic integration requirements and civic integration courses of an assimilative nature. The latest developments – compulsory pre-immigration courses, such as those developed in the Netherlands – extend this logic even further: under the pretext of integration, such courses actually function as instruments to make immigration more restrictive and selective[17].

These developments in national contexts, plus the double-edged migration policy described before, form the backdrop and at the same time the determinants of EU integration policies[18]: a set of policy initiatives that is different from both national and local integration policies in several respects. I will characterise these EU integration policies on the basis of six points: the genesis of their formal definition, their target group, the status of their policy making and implementation, their strategies and funds and their organisational setting.

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[16] See Rinus Penninx (2005), 'Integration of migrants: Economic, social, cultural and political dimensions', pp. 137-152 in: M. Macura, A.L. MacDonald and W. Haug (eds), The New Demographic Regime: Population Challenges and Policy Responses. New York/Geneva: United Nations.

[17] See, for example, Elspeth Guild, Kees Groenendijk & Sergio Carrera (eds) (2009), Illiberal Liberal States: Immigration, Citizenship and Integration in the EU. Farnham: Ashgate.

[18] In her brilliant PhD thesis Hannelore Goeman analyses the constitution of integration policies at the EU level: Hannelore Goeman, Integrating integration. The constitution of an EU policy domain on migrant integration. PhD thesis defended on December 10, 2012 at the Vrije Universiteit Brussel.

First of all, integration was defined in a rather limited manner in the early phase. In fact, until 2003 EU policies started out from the implicit assumption that if the legal position of immigrants were equal (as far as possible, as the Tampere programme stipulated) to that of national citizens and if adequate instruments were in place to combat discrimination, integration processes could be left to societal forces. Thus, legal integration (= equality) was to be ensured by means of the directives on family reunification and free movement after five years on the one hand, and by comprehensive anti-discrimination directives on the other.

It was only in 2003 that the European Commission came up with a more comprehensive view on integration policies in its Communication on Immigration, Integration and Employment (EC COM (2003) 336 final). This Communication defined integration as follows: "it is a two-way process based on reciprocity of rights and obligations of third-countries nationals and host societies that foresee the immigrant's full participation". Integration is conceived as a "balance of rights and obligations". The holistic approach of policies targets all dimensions of integration (economic, social and political rights, cultural and religious diversity, citizenship and participation). In November 2004, the Council of Ministers responsible for integration agreed on the Common Basic Principles (CBP) for integration as a first step towards a common framework for a European approach to immigrant integration and a point of reference for the implementation and evaluation of current and future integration policies.

Secondly, however, this shift from a narrow initial conception to – in principle and on paper – a very broad conception of integration goes together with a continuation of the limited definition of the target group that comes directly from migration policies: integration policies are supposed to be for third- country nationals only. Immigrants (or long-term residents) who are citizens of EU Member States do not belong to the target group. They are supposed to be integrated by definition (an assumption that has been criticised recently by local authorities in regions that received many new immigrants from accessor states after the enlargements of 2004 (Poland) and 2007 (Rumania and Bulgaria)).

Thirdly, the foregoing two points raise the question of what the status of EU policies is: while migration policies are communitarian policies (first pillar), integration policies are intergovernmental policies (third pillar). This means that policies have to be decided upon by consensus of Member States and that there is no binding legislation and directives. On many aspects of the broad

concept of integration, like social security, education, housing and health, national governments vehemently defend their sovereignty. Integration policies at the EU level are thus clearly `soft' policies and bound/limited to what national governments allow them to be.

Fourthly, this means that the mechanisms of policy making and implementation are quite different from those for migration policies. A special method, called the "open method of co-ordination" (OMC) has been adopted in the field of integration policies since 2003. National strategy reports are an important tool within the OMC strategy in which each Member State reports on priorities for and achievements of national policies. The Common Basic Principles mentioned above are another (paper) tool of the OMC strategy. Furthermore, specific internal and external monitoring instruments, such as the European Migration Network and MIPEX, have been developed together with mechanisms for the exchange of policy expertise (handbooks, integration website).

Fifthly, apart from the paperwork related to the framing and formulation of EU policies, the European Commission has managed to get agreement on some practical tools for concrete action. From 2004-2006 the INTI programme (Integration of Third-Country Nationals) financed action and research, followed by the much more substantial funding earmarked from 2007 till 2013: the European Integration Fund (EIF) and – especially to compensate states for their efforts regarding the reception and integration of refugees – the European Refugee Fund (ERF). These funds are important for the European Commission as a policy maker, since they create direct relations between the EU and local and regional authorities (and their policies) on the one hand, and non-governmental civil society partners on all levels on the other.

Sixthly, there is the very specific internal organisational setting of EU integration policies: on the one hand, there is DG Freedom, Security and Justice (also responsible for migration policies) which particularly targets the early reception and integration of recent newcomers, refugees and accepted asylum seekers, but also third-country nationals until they have become long-term residents. It is in this particular part of EU policies that Western European countries have increasingly `uploaded'[19] their cultural integration requirements for new third-country immigrants into EU integration policies. What started in

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[19] Hannelore Goeman uses this term in her analysis of the constitution of integration policies at the EU level: Goeman, 2012. See also Guild et al. 2009.

the Netherlands as a voluntary programme in the 1990s and soon thereafter became mandatory in Denmark has rapidly gained currency in other EU Member States: mandatory integration courses and subsequent testing for those third-country nationals who wish to settle. Sanctions to enforce the mandatory character can be found in the withholding of residence rights and administrative fines. The broad concept of integration set forth in the 2003 Communication and the Common Basic Principles is interpreted in a very specific and narrow manner in this part of EU policies.

On the other hand, there is a second setting from which integration is promoted: the DG Employment, Social Affairs and Equal Opportunities. Its programmes aim to promote social inclusion and cohesion and its sizeable funding is – again – used quite extensively by local and regional authorities (and their policies) on the one hand, and non-governmental civil society partners on all levels on the other. Equality and anti-discrimination are key concepts (and one reason why the European Monitoring Centre on Racism and Xenophobia (EUMC) and its successor the Fundamental Rights Agency (FRA) were related to this DG). Target groups include immigrants but equally ethnic minorities and the disabled. The priority domains are (equal access to and long-term integration into) employment, education, housing and health.

LOCAL INTEGRATION POLICIES:
CITIES AND THEIR NATIONAL AND EUROPEAN CONNECTIONS

Local integration policies have always been in the shadow of national integration policies, or overshadowed by the absence of the latter. This basically has to do with the fact that migration policies (decisions on who is allowed to enter and stay) are national policies. If immigration policy is followed by a national integration policy, as happened in an early phase in Sweden and the Netherlands, then local integration policies are stimulated and facilitated by such national policies. That is why Dutch and Swedish cities do have a longer history of local integration policies.

But – as we have seen – de facto immigration is not necessarily followed by an integration policy at the national level: most Western European countries did have sizeable immigration but no national integration policies till the turn of the century. Nevertheless, immigrants do settle somewhere in cities and municipalities and these might have developed integration policies, even in the

absence of national policies, as is evidenced by Birmingham and Bradford in the UK, Berlin and Frankfurt in the FRG, Vienna in Austria or the cities of Zurich, Bern and Basel in Switzerland, to give just a few examples (Penninx 2009).

Whatever the history of local integration policies, a common characteristic during the last decade is that tensions have developed between cities and national governments on issues on which national and local policies clash. Such clashes may relate to different views on how to implement (restrictive) immigration policies: how to handle illegal migrants in practice? How to implement restrictions on access to facilities and services in the domains of employment, housing, education and health to combat illegal residence? Clashes may also relate to the new early reception, the civic integration courses, and the increased cultural requirements for continued residence and for naturalisation: where national policies may be quite ideological on such matters, local policy practitioners tend to look for feasible practical solutions that are acceptable to immigrant communities. Tensions also arise when the financing of integration facilities is at stake, particularly when national policies prescribe new action, but do not deliver the financial and other resources needed to implement it.

Cities do not always win such battles, but at the same time, city governments may use their discretionary power – avoiding national public debate when possible – to gain more room to manoeuvre and they may use their own resources. What such tensions make clear is that the interests at stake in integration policies and their implementation may differ substantially, or be perceived as different, at the local and national level. At the city level, the confrontation with the day-to-day consequences of immigration is far more direct, and the implications of policies are more immediately felt, especially by immigrants. Any serious attempts by local government to cope with integration of immigrants, or – in more positive terms used increasingly by cities – to maximise the opportunities inherent in immigration, are sure to bring pressure to bear at the national level. A significant proportion of the European metropolitan areas and cities are increasingly aware that they need long-term, consistent integration policies in order to preserve their viability as community entities and their liveability for all their residents.

During the last decade, cities that are active in integration policies have developed significant new relations outside their national context, particularly in the form of networks of cities that exchange knowledge and practical experiences regarding local integration policies. Interestingly, apart from being primarily

cross-national horizontal forms of cooperation between cities, they all have a strong connection with the European Commission. The three most important are:

› The CLIP Network (Cities for Local Integration Policies). Set up in 2006, it consists of some 30 European cities that systematically exchange knowledge and practice on local integration policies at regular conferences. Research material on the policies of all the cities is collected by a consortium of research institutes. It was funded from 2006 to 2012 by the European Foundation (http://www.eurofound.europa.eu/areas/populationandsociety/clip.htm).

› Integrating Cities: This project (also set up in 2006) is run by the Working Group on Migration and Integration of EUROCITIES, a large network of some 140 major European cities. Integrating Cities is seen as a policy dialogue between EUROCITIES and the European Commission through the INTEGRATING CITIES Conference series, the EUROCITIES Charter on Integrating Cities, the EU-funded projects INTI-CITIES, DIVE, MIXITIES as well as initiatives by EUROCITIES' Working Group on Migration and Integration (www.integratingcities.eu/).

› Intercultural Cities: this is a joint initiative by the Council of Europe and the European Commission, started in 2008. It emerged from the White Paper on Intercultural Dialogue which the Council of Europe contributed to the European Year of Intercultural Dialogue in that same year. The Intercultural Cities strategy based on that research is a management strategy that publicly advocates respect for diversity and a pluralistic city identity. The Intercultural Cities Programme was developed and first applied in 11 European pilot cities and has evolved further since then. The Programme develops tools such as the Intercultural Cities Index for cities to evaluate and develop their policies, and organises international conferences for cities to exchange experience (http://www.coe.int/t/dg4/cultureheritage/culture/Cities/).

More specific horizontal cooperation initiatives are also in place, such as EC-CAR (the European Coalition of Cities Against Racism), established in 2004 at the initiative of UNESCO. The aim of this coalition of cities is to share experiences in order to improve policies to fight racism, discrimination and xenophobia. 104 municipalities from 22 European countries have joined the network and adopted the "Ten Point Plan of Action".

THE MULTILEVEL GOVERNANCE OF MIGRATION AND INTEGRATION: CONCLUSIONS AND PROSPECTS

The foregoing analysis has shown, first of all, that mobility of people across national boundaries has become a prominent feature in Europe and that, as a consequence, the population of European societies, and particularly of its cities, has become more diverse.

Secondly, it has shown that these two phenomena have become significant issues for governmental agencies at several levels: where initially national governments had a monopoly on the politics of international migration, the European Union has become a significant actor, introducing new notions of migration (TCN-international and EU-internal) with different regimes and statuses. When it comes to integration, the picture is even more complex: where initially there were few examples of explicit national integration policies and thus it was primarily local governments which had to deal with the presence of immigrants, national governments and EU agents have now launched integration policies, each with their own specific definition of the concept of integration, of target groups and the aims of such policies. Local governments are now revising (or being forced to revise) their position in relation to these new policy actors: new oppositions – between national and local governments – and new coalitions – between local and EU agents – are being introduced. In the descriptive sense, the multilevel character of policies has clearly expanded, simply because more levels have involved themselves in these policies. If one were to have a more normative definition of multilevel governance – in the sense that policy action should be coordinated, complementary and mutually supporting between levels – than the multilevel character is presently quite problematic. The foregoing descriptive analysis demonstrated, for example, that in integration policies the European Commission circumvents national governments by working directly with cities, while national governments have uploaded their new cultural integration policies to the EU level and prescribe it to the local level.

What can we say about the future on the basis of this analysis? Firstly, what is likely to be the future of cross-national mobility and international migration? In my view there is no reason to expect a decrease in mobility in the short and medium term: the fundamental, long-term causes of migration to Europe – the demographic profile of an aging and soon decreasing population combined with a relatively prosperous and economically viable society – will remain with

us in the coming decades. Europe will need immigrants and Europe will remain an attractive destination in the coming decades.

Secondly, I also expect that the (rhetorical) resistance to immigration that has been characteristic of Europe from the beginning and which has recently manifested itself in greater demands for cultural integration of immigrants will continue to exist in the near future. Nowadays it is part of relatively strong nationalistic and anti-EU sentiments, fed by the financial and economic crisis. However, as in the past, such rhetorical resistance will be not be able to stop or even decrease international migration. It may lead to a `re-labelling' or redefinition of parts of the migration flows (as happened in the enlarging EU) or mobility flows may temporarily shift to more internal EU migration than immigrants from non-EU countries (as is happening now).

What policy responses are to be expected then? If one accepts the conclusions I made above on the multilevel governance of migration and integration on the descriptive level (yes, more levels involved, more complex) and on the normative level (not having the same definitions, target groups, tools, resources; not necessarily coordinated, complementary and mutually supporting), it is difficult to see how that would change in the short term. What governments do at different levels is bound to a certain extent to how migration and integration manifest themselves on these levels and the political pressures that work on these respective levels. The best one can do is work on the principle of consistency and complementarity of action at different levels (or, negatively formulated, the absence of conflicting policy aims and instruments). Defining the common interests for all levels is the best starting point for concerted action.

┌─ **AUTHOR** ───

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06

Immigrant integration, public acceptance and social cohesion[1]

Didier Ruedin & Gianni D'Amato

INTRODUCTION

Immigration may be an old phenomenon, but recent years have seen an increasing number of individuals migrating. What is more, the nature of migration is increasingly diverse. Whereas in the past the number of countries of origin for a specific receiving country was limited, today the range of countries is larger, and includes countries from further away. This leads to an increasing diversity of immigrants coming from various cultural, religious, linguistic, and social backgrounds. Technological advances in transport and communication have helped make migration more affordable and enable individuals to stay in contact with others in their country of origin and thus maintain their cultural distinctiveness.

As a result of advancing economic globalization, countries across Europe and the US face similar pressures. Globalization means that these countries operate in the same global environment, which exposes the countries to similar

[1] This paper is an adapted version of a paper published in 2011 by the Migration Policy Institute as part of the EUI Series on „Improving US and EU Migration Systems".

challenges. Indeed, it can be argued that globalization has created a more or less single market, with the result that challenges of migration are a common challenge for all countries in this single global market. The extent and nature of immigration in European countries means that citizens and the political elite are reacting and looking for some form of political action: The aim is to manage migration.

Management of migration is the idea that proactive policies are required to preserve social cohesion in the receiving countries. In other words, unregulated migration to European countries and the US is regarded as a threat to the social order, particularly the welfare system and the economy. In order to avoid the negative aspects that increased numbers and diversity of immigrants are thought to have, it is necessary that immigrants be integrated into the receiving society. By so doing, levels of social cohesion can be maintained at a level that allows societies to continue as they did in the past.

The extent to which such integration of immigrants is possible depends to a certain degree on the state of the economy. A poor state of the economy is thought to prevent the economic integration of immigrants. In other words, during times when the economy is doing badly, immigrants find it hard to find work, and are more likely to be unemployed or working poor. Economic integration would require them to have paid work. Similar effects can be expected during times of economic crisis or recession. At the same time, the welfare system in place can play a central role in integrating immigrants, affecting integration into social life. Whilst immigrants are not actually foreseen in welfare states, they are in principle included like everyone else because of the inclusive nature of welfare systems, based on principles of social rights and citizenship, and funded by the solidarity of all contributors independently of their origin.

Economic integration is considered a central pillar for immigrants, just as it is seen as an essential aspect of social life for all citizens. During times of poor economic performance, this emphasis on paid work may encourage participation in irregular and informal forms of employment. In certain areas of the economy, work may be available because desperate workers are willing to accept lower wages or more flexible, less secure working arrangements. From the point of view of an employer, such terms are often lucrative, especially in times when

the economy is performing poorly. It is in this sense that there is very strong economic demand for immigrant workers[2].

At the same time, participation in the informal economy undermines social cohesion. It does so by running counter to collective efforts such as social insurance payments, agreed terms of work, or collective wages. As a result, the feeling that other workers are part of the same society can be challenged, to the degree that participants in the informal economy are marginalized. The status of immigrant workers in society means that they frequently take part in the informal economy; or at least that their participation in the informal economy is visible and publicized. Workers can be marginalized in different ways, and in the case of immigrant workers, one possible form marginalization can take is xenophobia. Once workers in the informal economy are marginalized – perhaps combined with xenophobia –, the marginalized position of low status and bargaining power may be reinforced, leading to additional marginalization because of low income, for example. Consequently, workers in the informal economy may find it increasingly difficult to leave such precarious states of employment the longer they participate in the informal economy.

Immigration to European countries currently keeps growing irrespective of the state of the economy. This is caused by immigrants who cannot be rejected for legal reasons. For example, refugees may arrive at a time of economic crisis; and they cannot be rejected on grounds of the current performance of the economy. Usually more significant is immigration in the form of family reunification, often guaranteed under law and human rights standards with reference to the right to have a family. Illegal and irregular immigration describes individuals who migrated through an unofficial channel, or who migrated through an official channel, but stayed longer or with a different purpose than originally foreseen. Despite efforts to do so, illegal and irregular immigration is difficult to control, especially as long as there are strong economic demands for cheap labour[3].

Whilst economic factors certainly play a role in shaping flows of immigration, they are only part of the answer. In fact, there is no grand theory of immigration

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[2] M. Borkert and R. Penninx, "The Dynamics of Migratory Policymaking in Europe – an Introduction", in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).
[3] P. Emmenegger and R. Careja, "From Dilemma to Dualization: Social and Migration Policies in the 'Reluctant Countries of Immigration'" (presented at the 17th Conference for European Studies, Montreal, 2010).

that could explain all facets of how, when, and why people migrate[4]. In a similar vein, there is no (single) global migration policy. This is not to say that there are no efforts to achieve some sort of international or even global coordination on immigration policies or parts of immigration policies. At the global level, there are platforms such as the Berlin Initiative[5], particularly since the 1990s. Efforts are also notable in the European Union, such as with the Schengen/Dublin agreements that regulate the movement of individuals within participating countries and regulate parts of asylum applications. Areas where most coordination appears to take place are aspects of border control, rather than integration of immigrants already present. Examples include stricter admission policies, for which a consensus appears to be emerging within the European Union, or the security framing of immigration. Whilst such efforts towards coordination are ongoing, the responsibility for implementing policies remains with individual countries, and different countries deal with the same or equivalent pressures in different ways. Moreover, at the national level issues around the integration of immigrants appear to be more salient and politicized, introducing the concept of integration as a new instrument to support migration control. Consequently, little convergence can be observed in European countries. In short, there is no single way to approach the impact of economic change on immigration.

Definitions

Social cohesion is one of those sociological concepts that is most commonly talked about when absent. The implication is that normally societies are socially cohesive, but that there are external threats that challenge this status. The cohesive state of a society is thus stable, and where not achieved, it is assumed that all societies aspire to socially cohesive stability. It is indeed the cohesion of a society that makes it stable.

It can be argued that social cohesion is necessary for collective action to take place. Such action is made possible because of the shared values that are found in society. Tönnies[6] makes a distinction between community (Gemeinschaft) and association (Gesellschaft) as two types of society, and social cohesion is possible in both. In a community, there is a feeling of togetherness,

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[4] G. D'Amato, "Ein historisch-soziologisches Inventar der Migration in der Schweiz," Schweizerischen Jahrbuch für Entwicklungspolitik, 2008, Vol. 27, No. 2, p. 177-196.
[5] GCIM (Global Commission on International Migration), Migration in einer interdependenten Welt: Neue Handlungsprinzipien: Bericht der Weltkommission für International Migration (Berlin: Deutsche Gesellschaft für die Vereinten Nationen, 2005).
[6] Community and association (London: Taylor & Francis, 1974).

close ties between members of the community and thus regular and intensive social interaction, a shared experience of time and space, and shared identity that is the result of the other factors. Social cohesion works through informal institutions and strong consensus in the community. Contrary to romanticizing accounts, it is important to note that social cohesion is also possible in an association. An association is characterized by superficial and fleeting interactions, individualization, a complex division of labour with co-dependence, and a relative lack of norms. This is a description of modern states as they are found in Europe. In this case, the state and formal institutions play an important role in organizing society and establishing social cohesion. There is collective support for laws and support for markets: collective values that enable social cohesion[7]. Social cohesion in this case is institutionalized.

In recent years, increasing attention has been paid to the role of social capital in shaping social cohesion[8]. The concept of social capital may be useful to highlight how cooperation in different kinds of society is facilitated by generalized trust, shared norms, as well as the networks that connect individuals. The potential utility of the concept stems from the fact that there are different ways by which trust, norms, and networks can be established. In a community trust may be based on mutual social interchange and close relations, in an association trust may be based on the shared norms and adherence to laws. The social networks in each kind of society are different, facilitating different interactions and different bases for trust.

Social cohesion and social capital are important factors in enabling societies to overcome collective action problems. These are problems that can be overcome as a collective of individuals, but where the solution is unattainable for any single individual. The challenges of immigration are certainly an example of a collective action problem: whilst the individual may have an interest in controlling immigration to his or her country, doing so is impossible for the individual alone. As a collective of individuals – in this case usually in the form of a state – individuals have the possibility to establish certain controls.

[7] É. Durkheim, The Division of Labor in Society, trans. G. Simpson (New York: Free Press, 1964).
[8] R. Putnam, R. Leonardi, and R. Nanetti, Making Democracy Work: The Civic Traditions in Modern Italy (Princeton: Princeton University Press, 1993); R. Putnam, Bowling Alone: The Collapse and Revival of American Community (New York: Touchstone Books, 2000).

In the case of controlling immigration, it is possible to talk of an immigration system. An immigration system describes a set of coordinated policies and practices with the aim of controlling or managing immigration in one way or another[9]. The attempt to control and manage immigration flows does not necessarily imply repressive means, but describes all coordinated efforts, be they strict or liberal.

At the individual level, one possible reaction to immigration is the perception of immigration as a threat. This psychosocial reaction can translate into xenophobia. Strictly speaking, xenophobia refers to the rejection and hatred of those from a different country. It is worth maintaining a distinction between xenophobia and racism. Racism is the rejection and hatred of specific (racial) groups, and thus includes an element of essentialism. The groups who are rejected are rejected on the basis of their essentially being different, by virtue of their essentially different and presumably incompatible culture and way of life. Since differences are seen as fixed characteristics, there is no way to successfully overcome this difference. In contrast, xenophobia leaves open the possibility of assimilation or acculturation, allowing the initially rejected group to be integrated and accepted by the receiving society.

POSSIBLE IMMIGRATION POLICIES

When it comes to managing immigration, there are two possibilities. On the one hand, countries can attempt to control flows of immigration at the border. The intention here is to prevent unwanted immigrants from entering the country, whilst letting in those sought. On the other hand, countries can attempt to manage the immigrants who are in the country, irrespective of how they entered. The focus in this case is on integrating the immigrant population into the mainstream population. These two approaches are of course not mutually exclusive, and most countries are involved in both, but with different emphases.

Managing Flows

Immigration policies in Europe can be regarded as a continuation from the past, although this tends not to be the case politically. Politicians focus on and politicize the recent growth in immigration, portraying the current situation as un-

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[9] C. B. Brettell, and J. F. Hollifield (eds.), Migration theory: talking across disciplines (New York: Routledge).

precedented. It is easy to forget that until the 1950s many European countries were countries of emigration, or even beyond that in the case of many Southern European countries. Nonetheless, a significant change was that the nature of immigration took on a more global form in the 1980s, leading to a more diverse kind of immigration compared to the past[10].

For forms of immigration that were dominant before the 1980s, there were political and economic reasons to allow relatively unhindered entry to receiving countries in Europe. In colonial immigration, political motives played a role, as did economic demand. Such demand for labour was more obvious in Western European countries. The acceptance of political refugees from Central and Eastern Europe, the Soviet Union, and other communist countries was largely politically motivated. Given the small number of individuals who managed to leave their countries as political refugees, countries in the West could politicize the situation of political refugees in the form of propaganda to highlight the purported essential freedom of individuals in the West.

Whilst filtering immigration has been a key aspect in the US and Canada, the increasing international nature of immigration meant that efforts to keep potential migrants out increased in Europe, too. This led to the notion of a Fortress Europe whose external borders are very difficult to pass for unwanted immigrants. At the same time as mobility within European countries was being facilitated with steps toward the free movement of goods and people, mobility to Europe was increasingly controlled. As a reaction to continuing immigration, external borders have been fortified, pushing European borders further outside[11].

In European countries, there is an increasing distinction between third-country nationals (TCN) and individuals from other European countries. Third-country national in this context simply refers to any country outside Europe: countries which are not members of the European Union or associated with it through close agreements, as is the case for example with Norway or Switzerland. With this distinction, two developments are taking place in parallel. On the one hand, barriers are coming down to encourage mobility within Europe. On the other hand, barriers are being erected for unwanted immigrants from outside of

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[10] C. Wihtol de Wenden, "The case of France," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

[11] O. Clochard, "Les camps d'étrangers, symbole d'une politique," Les blogs du Diplo, June 1, 2010, http://blog.mondediplo.net/2010-06-01-Les-camps-d-etrangers-symbole-d-une-politique.

Europe, with strict filtering. In this context it is interesting to note the different vocabulary used: mobility for wanted movements, and immigration for unwanted movements. This development of encouraging certain kinds of movements and migration whilst trying to limit and control others suggests some convergence in approach between Europe and the US. What is central to these developments is that migration flows are controlled as far as possible.

Managing Integration

The increasing number of asylum seekers and refugees in the 1980s changed the focus to managing flows, and it became apparent that not all refugees are equally attractive politically. At the same time, in Europe it became clear that many of the labour migrants known as "guest workers" wanted to, and in fact were going to stay,[12] and despite efforts it turned out to be difficult to close borders to certain kinds of immigrants whilst encouraging the relatively free movement of others. As a result, the attention of immigration policies increasingly turned to the integration of immigrants already in the country, at least as an additional component of policies.

Since the end of the 19th century, it had commonly been assumed that immigrants quickly assimilate into the mainstream society. In other words, the assumption was that within a short period of time, newly arrived immigrants would become just like everyone else in society: having a migration background was of no further relevance except for those interested in genealogy. The relatively small number of immigrants meant that assimilation was often the only viable option, since maintaining customs from the country of origin would have been costly in terms of the effort required to do so. With World War I the perception changed fundamentally, and immigrants were no longer regarded in a positive light. For a brief time, many European countries used naturalization as an attempt to integrate immigrants and encourage assimilation.

The situation was different for immigrants in the US, where often large numbers of immigrants came from the same country of origin. Assimilation was the essential aim, but as a consequence of the number of immigrants, for many immigrant groups there were large numbers of immigrants speaking the same language and adhering to the same customs. With this it was possible to maintain cultural differences, as reflected in many places such as Little Italy in New

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[12] Wihtol de Wenden, "The case of France."

York. Such segregation was facilitated by a discourse where nearly everyone was aware of their immigrant origins, and consequently inclined to be tolerant toward cultural difference as long as it did not interfere with living together in society. The notion of a melting pot is used to capture this variety of difference, which can creatively combine into new forms of culture: the mainstream itself is a new combination of different cultures. In many areas of social life, however, difference was regarded as interfering with social cohesion, and assimilation into the mainstream was actively encouraged.

Even though the situation might be similar, less is done in the US to manage the integration of immigrants. One reason for this is that integration is regarded as a natural process, albeit one that takes some time to complete. On both sides of the Atlantic, lack of integration, persistent difference, and strict segregation are seen as a problem. This problem has been politicized for different immigrant groups, depending on the receiving society and the time in history. Politicization means that the lack of integration is regarded as an issue that needs resolving, often because it is portrayed as a threat to social cohesion. A difference exists here between the US and European countries: in the US the burden of integration is largely placed on the individual, whilst in Europe the state is recognized as a potentially important actor who can facilitate integration.

This role of the state in Europe as an important actor in facilitating integration and maintaining social cohesion is not exclusive to immigration, but a general reflection of the role of the state and particularly its welfare programmes in organizing everyday life. Whilst the state plays an important role in facilitating the social integration of immigrants in Europe, there are many different approaches to managing immigration. Of these, throughout the 1970s and 1980s, ideas of multiculturalism gained currency. This can be attributed to a general trend toward liberal attitudes to difference – sometimes linked to increasing development[13] –, as well as increasing recognition of minority rights.

It is important to recognize that there are different kinds of multiculturalism: different ways to manage integration based on the idea that difference can be positive and minorities have specific rights. Kinds of multiculturalism range from

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[13] R. Inglehart, Modernization and Postmodernization: Cultural, Economic, and Political Change in 43 Societies (Princeton: Princeton University Press, 1997); P. Norris and R. Inglehart, Sacred and Secular: Religion and Politics Worldwide (New York: Cambridge University Press, 2004); R. Inglehart and C. Welzel, "Changing Mass Priorities: The Link between Modernization and Democracy," Perspectives on Politics 8, no. 2 (2010): 551-567.

segregation into autonomous areas to a cosmopolitan form where differences are combined into a vibrant new whole. In reality, societies in Europe and North America are more similar than descriptions of ideotypical forms of multiculturalism imply. The same is the case with the involvement of the state, which is commonplace in the US, despite a public discourse that regards the state as an unwelcome interference. Whilst real differences may be less pronounced than ideotypes, in most countries there is also a lack of clearly formulated visions to inform integration policies and social cohesion programmes. In other words, whilst multiculturalism was regarded as the general approach to go by, governments did not invest enough in specifying the kind of multicultural society aspired to. As a result, it is difficult if not impossible to coordinate policies in order to achieve a particular kind of society.

At the same time as ideas of multicultural societies were flourishing in Europe, critical voices highlighted the danger of encouraging parallel societies and marginalized groups in the name of valuing difference in itself. It was not until just after the turn of the century, however, that the critical voices became more prominent, quickly turning into a backlash against multiculturalism. Within a decade, multiculturalism as a concept has fallen out of fashion, and a public consensus appears to have emerged that multiculturalism as a policy for integrating immigrants has failed. Such accounts tend to ignore the different kinds of multiculturalism, but the word itself has almost entirely disappeared from official use. In its stead, there is an increasingly tough rhetoric[14]. It is unclear whether significant changes in policy followed, largely because it seems less clear what other policies would lead to the desired outcome of integration.

Recent changes in Europe focus on assimilation that is forced by the state rather than occurring voluntarily from within. It is still the individual immigrant who is expected to change his or her behaviour and attitudes in order to integrate with the mainstream society, but the state is pushing harder and for quicker integration. One problem that exists across European countries is that it is not entirely clear what exactly is meant when politicians talk about integration of immigrants. In practice, in many places there is a focus on language courses and citizenship tests, although there is little actual evidence that such efforts help toward the goal of integration. Programmes appear to be implemented because of their feasibility, and there is a clear trend toward formalizing criteria for immigrants.

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[14] S. Vertovec and S. Wessendorf, eds., The Multiculturalism Backlash: European Discourses, Policies and Practices (London: Routledge, 2010).

Speaking one language may be one factor that facilitates social interaction in a country, but social cohesion is shaped by a range of factors that are not as tangible as the results of language of citizenship examinations. More important are adherence to laws, shared norms and attitudes that may be formalized into law. Other aspects exist separately from the state, such as collective values or support for markets in European countries. Whilst such factors relevant to social cohesion are difficult to capture, the social integration of immigrants can be approached through participation: participation in paid work or participation in social life, meaning contacts with the mainstream. The interpretation of these factors is an inherently political matter, since significant differences between immigrants and the mainstream exist in these regards.

There are a number of indicators that could be used to capture the extent to which immigrants are integrated in the different European countries. For example, geographical segregation can be understood as a lack of integration. Throughout Europe, immigrants tend to be concentrated in urban areas, a situation that has not changed noticeably over the years. The situation is somewhat different when it comes to knowledge of the local language. Whilst language acquisition is increasingly demanded, there are no adequate data that would allow a comparison to previous years. Probably more significant for social integration are aspects of contact and social interaction with the mainstream. Intermarriages between immigrants and members of the mainstream society can be used as a measure of such interaction. In the United Kingdom, there is evidence that intermarriage and assimilation go hand in hand, and increasing patterns of intermarriage can be observed for all immigrant groups as well as the mainstream[15]. Differences persist, however, and members of a specific ethnic group remain more likely to marry within the same group. Significant differences can also be observed for political participation, where immigrants are less likely to engage politically. In terms of school performance, disadvantages for immigrant children can be observed in a persistent manner across Western Europe[16]. In all these areas of social integration, there are significant differences between immigrants from different sending areas. Cultural difference may be a key explanation for different treatment, but this is at times difficult to establish empirically.

[15] R. Muttarak and A. Heath, "Who intermarries in Britain? Explaining ethnic diversity in intermarriage patterns," The British Journal of Sociology 61, no. 2 (2010): 275-305.
[16] A. Heath, C. Rothon, and E. Kilpi, "The second generation in Western Europe: Education, unemployment, and occupational attainment," Annual Review of Sociology 34 (2008): 211-34.

Whilst there are potentially many different approaches to managing immigrants already in the country, there is much communality in practice. This begins with the active encouragement of skilled and desired workers, opposed to the strict barriers for undesired migrants. In terms of managing borders and policing immigrants, recent years witnessed a toughening of practices, such as reduced eligibility for work permits. Since there is persistent economic demand for unskilled workers in the US and European countries, and given the difficulty or impossibility of entering receiving countries otherwise, many immigrants seem to choose illegal or irregular immigration[17]. Another similarity is the social security systems that are designed to avoid transfers from the mainstream society to the immigrant population[18]. In contrast to managing borders, much less policy convergence could be observed in this regard, particularly when it comes to integrating immigrants. The legacy of history and the impact of welfare regimes may be stronger than common pressures on social cohesion.

SHIFTS IN RHETORIC

In addition to the real changes in policies that occur all the time, immigration policies experienced a significant change in public rhetoric at the beginning of the 21st century. More specifically, the years between 2001 and 2003 have been identified as the tipping point[19]. This shift in rhetoric describes changes in the way immigration is talked about, the vocabulary used, and the policies considered useful. In addition, immigration as a political issue has become increasingly prominent, starting in many places in the 1980s, but also significantly later, such as in the Netherlands[20]. Despite a general increase in politicization of the issue, significant differences remain between countries: In some countries, such as Britain or Austria, immigration is possibly the central political issue to which other questions are linked. Yet in countries such as Ireland or Spain, immigration and related questions are far less prominent on the political agenda.

Vertovec and Wessendorf highlight the new rhetoric and the new vocabularies that are used by many European governments[21]. The notion of multiculturalism

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[17] Zincone, Penninx, and Borkert, Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present.
[18] Emmenegger and Careja, "From Dilemma to Dualization."
[19] Vertovec and Wessendorf, The Multiculturalism Backlash.
[20] Bruquetas-Callejo et al., "The Dutch Case."
[21] Vertovec and Wessendorf, The Multiculturalism Backlash.

and references to cultural diversity are now very rare. Vertovec and Wessen-dorf focus on the fact that the changes in the political rhetoric have been more radical than changes in actual policies. Whilst the lack of viable alternatives might be an issue, the formalization of criteria for third-country nationals wishing to work in many places, or stricter regulations regarding family reunification in others have an immediate and real impact on the lives of immigrants. It remains to be seen whether more significant changes in policies will follow, or whether the legal framework established to grant rights to minorities and immigrants is of a more enduring nature.

Islam

One area where the public rhetoric has changed significantly is with regard to Islam. (Unwanted) immigration and religion – particularly Islam – are increasing-ly mentioned in one breath. If it is Islam and religion that are the focus, it is their allegedly fundamental difference, the inability to integrate yet alone assimilate into the mainstream. The rhetoric here is simplifying and essentializing. It is sim-plifying in that all Muslims are reduced to a single homogeneous group of high-ly-religious Muslims; the fact that the majority of Muslims is moderate, especially among immigrants to the US and Europe, is suppressed. It is essentializing in that religion is made out to be the central characteristic of the individuals in question, ignoring any other aspect of identity or behaviour.

The tendency to simplify and essentialize the image of immigrant groups into stereotypes is not new. Similar (essentialist) arguments have been used for other immigrant groups. This was also the case for certain catholic Europeans who immigrated as labour migrants within Europe in the past, such as Italian workers. Their purportedly essential and unchangeable difference was high-lighted in the past; yet Italian workers would today fall under the positive label of inter-European mobility. The fact that similar arguments have been used for different groups in the past, and that these groups are today regarded as positive examples of successful integration, suggests that Islam and religious differences may simply be the way the debate over immigration is being carried out at the moment.

Security

With the link to religion and Islam, the purported association between immigra-tion and security is increasingly highlighted in public rhetoric. Whilst concerns over security and immigration are not new, the possible connection between the two has been discussed more intensely since the terrorist attacks of 9/11. What

happens in debates related to the topic is that a singular world view is perpetuated: us the mainstream versus them the immigrants / terrorists. Questions of security and immigration have become intertwined to the extent that every immigrant – particularly if he or she is from a Muslim country or has a Muslim name – is regarded as a potential terrorist. The shift in the rhetoric means that the burden of proof has been reversed: Rather than assuming that immigrants are as innocent as everyone else in society, it is now up to them to prove that they are not like the stereotypical fundamentalist who associates with or supports terrorists.

The fact that some immigrants are fundamentalist does not, of course, help the rest of the immigrant population. The terrorist attacks in London in 2007 can be seen as a sign that immigration and terrorism are linked: having a migrant background is then seen as the direct cause, and it is not questioned whether the relationship may be more intricate. Where a more nuanced view is attempted, the public rhetoric is of moderates versus fundamentalists, implying that in their tendency all (Muslim) immigrants are the same, just some are more radical. This illustrates well how the rhetoric around security and immigration is essentializing. An alternative and probably more fruitful approach in terms of security would be to differentiate between the mainstream on the one hand and fundamentalist terrorists on the other. This would allow ordinary citizens and immigrants to be grouped together and differentiated from violent fundamentalist groups that exist among both the mainstream and immigrant groups.

Cultural and Economic Integration
The debates over immigration and security illustrate a further shift in rhetoric. In the past, public debates over immigration were often dominated by economic arguments: the need for migrant workers to support a growing or even booming economy. Whilst the population in most European countries has long been concerned with the cultural integration of immigrants, these concerns have now entered the political mainstream. In the United Kingdom, this shift is reflected by a change from racial relations rooted in colonial administration to one of community relations that highlight the living together of different groups and different cultures locally[22].

[22] Cerna and Wietholtz, "The British Case."

The increasing politicization of cultural differences is linked with the recognition that economic integration of immigrants does not necessarily lead to cultural integration. In other words, immigrants can be integrated in the labour market by having a regular paid job, yet culturally retain a separate life that does not resemble that of the mainstream society[23]. Such concerns over integration of course only came to the fore once it was accepted that some immigrant workers may not return home. Guest worker programmes as they existed in many Western European countries were based on the assumption that workers would return home after their time in the host country. Rotation models were used in an explicit attempt to discourage settlement or integration more generally[24].

Today, the difference between the citizens and governments has largely diminished. Whereas in the past the citizens and to some extent the press highlighted cultural aspects in relation to the integration of immigrants, the government tended to focus on economic aspects. The shift in rhetoric means that the governments increasingly speak the same language as the citizens and cultural aspects are increasingly politicized. At the same time, economic aspects revolving around jobs and economic growth remain powerful albeit less politicized. Lobbying ensures that economic aspects remain on the agenda on both sides of the Atlantic, even though they may be less discussed in public.

Highly-qualified Immigrants
One area where economic arguments remain in the public view is where they concern highly-qualified workers. In the search for economic growth, highly-qualified workers are sought in the US and Canada, just as they are in Europe. At the same time as countries on both sides of the Atlantic attempt to control their borders and who the immigrants are, they are also attempting to attract highly-qualified workers by making the process easier in their case. In other words, this describes an attempt to filter immigrants. Whilst such policies have long been established in the US and Canada, they are increasingly gaining currency in European countries, too.

It might be easier to politically defend a focus on highly-qualified workers – middle-class migrants who are thought to integrate economically and culturally

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[23] Zincone, "Immigration and Immigrant Policymaking in Italy – Structures, Actors and Practices."
[24] G. D'Amato, "Migration and Integration Policies in Switzerland," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

–, but economic demand for unskilled workers remains unabated. Illegal and irregular immigration are one way to meet this demand. In Europe, internal immigration from poorer member countries to richer ones is encouraged, and to some extent can meet economic demands.

ECONOMIC PERFORMANCE AND SOCIAL COHESION

There is common agreement that economic reconstruction can be a threat to social cohesion. Globalization and its competitive pressure are regarded as the underlying cause. The decline of manufacturing in the US and Europe has led to a relocation of capital and jobs, and it is these changes that have removed the previous stability of work in favour of more flexibility and informality. Because of economic pressures, restructuring occurs particularly in times of crisis, in times when profits may be down.

General Argument

To a certain extent, immigration policies are linked to economic performance. If economic performance is regarded as the underlying cause, economic integration can be regarded as the mechanism by which social cohesion is effected. It is the increased levels of unemployment amongst immigrants and their involvement in less secure modes of work that are a challenge to social cohesion. In this context it is important to note that integration into society consists of multiple aspects of which paid work is only one. Indeed, the informal economy may be regarded as another segment.

Xenophobia is presented here as a possible consequence of challenges to social cohesion. Where the social fabric of a society is challenged by what is perceived as the unsuccessful integration of immigrants, it is possible for populist politicians to exploit this perception. The lack of integration and challenges to social cohesion are portrayed as a threat to mainstream society. At the same time, successfully integrated immigrants can also be exploited politically. This is the case because of relative deprivation, and the argument that welfare benefits should be reserved for natives. Immigrants who benefit from the welfare system are regarded as a threat, irrespective of their level of integration.

There is no doubt that economic crises affect society, especially through increased levels of unemployment, loss of earnings, and increased insecurity related to work. Such influences can be regarded as challenges to social co-

hesion overall. For example, those losing their jobs may feel alienated and let down by society. At their core, however, policies of social cohesion, and particularly the welfare states in Europe, work according to a logic that is independent of economic performance. Policies are not generally designed with immigrants in mind, but immigrants are accepted in welfare programmes as such programmes are designed for everyone. For example, nobody is normally denied necessary medical treatment because they lack legal status or appropriate insurance cover.

There are social cohesion policies that not only affect immigrants, but are designed solely for them. Examples include amnesties for illegal and irregular immigrants, enforcement of immigration laws, changes in the requirements for permanent residence and citizenship, or policies related to family reunification. There are two different logics that drive such policies, with different emphases across European countries, but also with different views within countries. On the one hand, formal integration – most notably permanent residence and citizenship – is granted at an early stage to encourage and facilitate social integration. On the other hand, formal integration is regarded as the culmination of a process of social integration.[25]

Even though welfare programmes were designed without considering the presence of immigrants, policies are in place to prevent resources being transferred from the native population to the immigrant population. Cases where governments and their local institutions fail to prevent such a transfer of resources are normally highly mediatised and politicized. Examples include immigrant families thought to claim more than their fair share from the welfare system. With the tougher rhetoric against immigrants and a trend towards forcing integration where possible, policies regarding access to social benefits have changed in some European countries, with the idea of making it more difficult for migrants to access benefits. A side effect of such efforts is that redistribution in general is reduced, which equally hits those of the native population in a precarious situation. It is members of the native population in a situation close to that of many of the immigrants who may be affected most[26]. With reduced redistribution, social cohesion in general is affected, and because of the unintended effects of toughening policies, the social cohesion of the mainstream is also affected.

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[25] A. Achermann et al., Country Report: Switzerland, EUDO Citizenship Observatory (Florence: European University Institute, 2009), http://eudo-citizenship.eu/docs/CountryReports/Switzerland.pdf.
[26] Emmenegger and Careja, "From Dilemma to Dualization."

Societal and Political Reaction

The reason why there are increasing pressures on welfare programmes to be more exclusive is that the reaction to immigrants in society and politics is at times hostile. Politically, there is an increasing rhetoric of the native population versus the immigrants – the rhetoric of us versus them[27]. It is important to bear in mind that in Europe attitudes toward immigrants are becoming more liberal and welcoming, irrespective of the economic situation. Reactions seem to be linked to lack of contact, lack of positive experiences, changes in migration flows, and cultural distance to immigrant groups, and particularly to social identity[28].

Whilst there is no doubt that social hostility towards immigrants exists, it is important not to confuse political rhetoric and support for fringe far-right parties with actual attitudes in society. There are many influences on social hostility, and no simple link between economic performance and hostility, or between the integration of immigrants and societal reaction. Although attitudes towards immigrants are necessarily an individual affair, it is not the case that only certain strata in society are affected by hostility whilst others are not. Neither at the individual nor at the societal level are there constellations of social cohesion that would mechanistically provoke hostile reactions or xenophobia: the situation is more nuanced in each case.

The shift in public rhetoric means that voices more critical of immigration and cultural diversity are more prominent these days. It appears that the public prefer restrictive policies[29], despite attitudes that are relatively tolerant of the immigrants already present in European countries. For the political elite, immigrants – especially immigrants from a visibly different culture – are a topic that can be exploited. In Europe, Islam has become a central factor in politicizing difference and immigration, possibly because of the more visible differences compared with many other immigrant groups, and because of the purported link to terrorism-related security issues.

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[27] Ibid.

[28] L. Togeby, "Prejudice and tolerance in a period of increasing ethnic diversity and growing unemployment: Denmark since 1970," Ethnic and Racial Studies 21, no. 6 (1998): 1137-54; L. McLaren, "Anti-immigrant prejudice in Europe: contact, threat perception and preferences for the exclusion of migrants," Social Forces 81, no. 3 (2003): 909-37; E. Kilpi, "Prejudice as a response to changes in competitive threat: Finnish attitudes towards immigrants 1986-2006," Sociology Working Papers 1 (2008), http://www.sociology.ox.ac.uk/research/workingpapers/2008-01.pdf; S. Schneider, "Anti-immigrant attitudes in Europe: Outgroup size and perceived ethnic threat," European Sociological Review 24, no. 1 (2008): 53-67; A. Ceobanu and X. Excandell, "Comparative analyses of public attitudes toward immigrants and immigration using multinational survey data: A review of theories and research," Annual Review of Sociology 36, no. 15 (2010); R. Ford, "Is Racial Prejudice Declining in Britain?," British Journal of Sociology 59, no. 4 (2008): 609-36.

[29] Emmenegger and Careja, "From Dilemma to Dualization."

In politics, different groups of immigrants are often mixed up: the distinction between asylum seekers, refugees, regular immigrants, and irregular or illegal immigrants is often blurred, if not completely lost. Considering the rhetoric of us versus them, there is no room for distinctions, neither in the local population nor in the immigrant population. The common discourse is that all immigrants have come for economic reasons, if not to unfairly benefit from a welfare system to which they have not contributed. In other words, the political discourse often collapses the different reasons that exist for migrating into a single pull factor: a better economic life. As outlined above, such a simplistic view cannot account for the range of migration patterns that can be observed in reality.

In politics, and particularly in the more confrontational discourse that has become more common since the beginning of the 21st century, there are many demands regarding how immigrants should behave or become. The underlying idea is that immigrants need to assimilate to become integrated into society, but the demands sometimes differ in unexpected ways. This is the case where immigrants are asked to assimilate to a stereotypical image of the native population, even where this is not reflected in society. For example, immigrants are generally asked to be tolerant and respect religious diversity, yet many Europeans show very little tolerance to religious difference, particularly when related to immigrants[30].

What was described as the political reaction thus far is particularly the case for populist movements in European politics, where immigration has become a central topic. To some extent immigration can be regarded as a political scapegoat, but the increasing salience of immigration as an issue has led to political pressures to deal with immigration[31]. Since the beginning of the 21st century there has been increasing focus on cultural and social integration in addition to economic integration[32]. Having a regular income from paid work and paying taxes is no longer considered sufficient. Lack of integration is exploited politically, highlighting differences between the local population and immigrants – with the implicit argument that these differences cannot be overcome.

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[30] G. Zincone, "Conclusions – Comparing the Making of Migratory Policies," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).
[31] D'Amato, "Auswirkungen der Finanzkrise auf die Migration"; D'Amato, "Ein historisch-soziologisches Inventar der Migration in der Schweiz."
[32] Zincone, Penninx, and Borkert, Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present.

The populist reaction to immigration, however, is not the same across European countries or the US. The extent and nature of immigration flows, together with economic pressures, would suggest that the potential for populist movements is largely the same everywhere. Yet, the reality on the ground is different: In some countries such as Austria or Germany immigration is a central topic in political debates; in others such as Spain or Ireland, immigration is far less politicized. It appears that the political environment – the way political institutions and party politics are organized – plays a crucial role in determining whether the topic can be politicized and with that a more aggressive and tougher rhetoric become more visible. There might also be historical differences that mediate the extent to which immigration and the role of migrants in purportedly declining levels of social cohesion can be politicized.

CONCLUSION

In this paper, a generic argument was presented, connecting economic performance with economic integration and social cohesion. The argument was qualified in many ways. One aspect that unites European countries, especially when compared to the situation in the US, is the central role of the welfare state in issues of immigration and social cohesion.

Whilst economic performance and economic integration appear to have commonalities, there are many other influences on economic integration apart from a direct and deterministic link to economic performance. In a similar vein, economic integration and social cohesion are related, but the reality is more nuanced and differentiated than a direct influence. In particular the role of cultural and social integration – which can differ significantly from economic integration – may be a reason why social cohesion and economic integration are not directly linked. In European countries, the welfare state appears to play a central role in mediating this relationship and to some degree countering purely economic trends. The impact on society and hostile reactions were presented as possible outcomes, but this is not necessarily the case. The political system and historical differences may play a crucial role in how issues of immigration are politicized in times of economic crisis. In short, figure 1 presents one possible story, but there are many more influences. In short, one possible story was presented, but there are many more influences. It is important to be careful and not fall into the simplistic rhetoric sometimes used in politics.

It is apparent that the political rhetoric related to immigration and social cohesion has undergone significant changes at the beginning of the 21st century[33]. Changes in the political discourse have probably affected the predominant rhetoric in the public sphere and the media, but it is unclear whether there have been significant changes in policies so far. This relative lack of changes in policies relevant to social cohesion is probably due to two factors. First, changes in policy so far have focused on economic integration and policing immigrants. This means that stricter policies in line with a tougher rhetoric tend not to affect areas directly relevant to social integration and social cohesion. In these areas it is unclear whether there are real alternatives to current programmes that encourage integration. Second, the existing rights granted to immigrants were generally granted as part of larger changes, such as recognition of human rights or general recognition of a right to a family. Such rights are institutionalized and cannot be dismantled quickly – which of course does not guarantee their long-term survival.

One area where policies in Europe have changed significantly is the distinction between migrants from other European countries and third-country nationals. Migration within Europe is encouraged in the name of mobility, and great efforts are made to remove remaining barriers. At the same time, the situation for individuals from countries outside of Europe is increasingly characterized by selection. Highly-qualified workers are admitted, but only in a controlled manner. For other potential workers, the borders to Europe have become increasingly controlled and officially closed, which may encourage irregular and illegal immigration for those determined to come to Europe.

Despite similar pressures and efforts to coordinate immigration-related policies at the European level, historical differences remain between countries. At the same time, it would be wrong to regard historical differences as deterministic. Indeed, not all countries with a colonial past or all countries in Central and Eastern Europe share the same policies, despite shared histories[34]. Recent changes in immigration did not result in identical responses, because the political and historical context of each country mediates the pressures in its unique way. Another reason may be that differences in the welfare state across Europe mean that countries have different capacities to deal with pressures on social cohesion.

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[33] Vertovec and Wessendorf, The Multiculturalism Backlash.
[34] Zincone, Penninx, and Borkert, Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present.

In the first decade of the 21st century, increasing convergence in the political rhetoric vis-à-vis immigrants and their impact on social cohesion can be observed. On their own, these changes in rhetoric may not lead to convergence of policies in Europe. However, if external pressures are strong enough, more convergence can be expected, something that may still happen. Such pressures may come from the supranational level, such as international organizations or common approaches to immigration and integration led by the European Union. At the same time, there may be increasing pressures from a globalized economy and increasingly global migration. Based on historical evidence it does not appear that complete convergence is the most likely outcome[35], which does not preclude the possibility of increasing convergence in some areas of immigration policy.

It is unclear in what way and to what extent economic crises are affecting current trends. The shift in rhetoric predates the economic downturn in the late 2000s, and seems to have remained largely unaffected by it. One possible impact of this changed discourse can be a more exclusive welfare system, with the argument of avoiding transferring resources to immigrants. A more exclusive welfare system would, however, also exclude individuals from the native population, which may have significant consequences for social cohesion[36].

It would be wrong to argue that social cohesion is challenged solely because of immigration. Political changes can mean efforts to dismantle the welfare system or severely cutting welfare programmes, with direct implications for social cohesion. Challenges to the notion of the state, such as from international bodies like the European Union or NAFTA, as well as from below through interest groups and social movements calling for minority recognition, are further areas where social cohesion is challenged, irrespective of possible challenges from immigration. Challenges to the notion of the state are important, since the state plays a crucial role in shaping laws and norms that enable social cohesion in societies characterized by organic solidarity. In sum, there are many factors that seem to influence social cohesion and integration policies, many of which appear resilient to short-term economic changes, just as attitudes towards immigrants do not fluctuate in line with economic growth.

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[35] Ibid.
[36] Emmenegger and Careja, "From Dilemma to Dualization."

The many qualifications to the generic argument linking economic performance to economic integration and social cohesion make it clear that the same pressures do not always lead to the same outcomes. Historical differences have persisted to the present day, resisting convergence in Europe despite similar immigration pressures in the past[37]. It is unclear why the current situation would be fundamentally different. Whilst historical and political differences suggest differences in outcome despite the same pressures, the magnitude of the pressures means that some convergence in policies can be expected, at least in some areas of immigration and social cohesion policies.

AUTHOR

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[37] T. Hammar, ed., European Immigration Policy: A Comparative Study (Cambridge: Cambridge University Press, 1985).

REFERENCES

M. Borkert and R. Penninx, "The Dynamics of Migratory Policymaking in Europe – an Introduction," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

P. Emmenegger and R. Careja, "From Dilemma to Dualization: Social and Migration Policies in the 'Reluctant Countries of Immigration'" (presented at the 17th Conference for European Studies, Montreal, 2010).

G. D'Amato, "Ein historisch-soziologisches Inventar der Migration in der Schweiz," Schweizerischen Jahrbuch für Entwicklungspolitik, 2008, Vol. 27, No. 2, p. 177-196.

GCIM (Global Commission on International Migration), Migration in einer interdependenten Welt: Neue Handlungsprinzipien: bericht der Weltkommission für International Migration (Berlin: Deutsche Gesellschaft für die Vereinten Nationen, 2005).

F. Tönnies, Community and association (London: Taylor & Francis, 1974).

É. Durkheim, The Division of Labor in Society, trans. G. Simpson (New York: Free Press, 1964).

R. Putnam, R. Leonardi, **and R. Nanetti**, Making Democracy Work: The Civic Traditions in Modern Italy (Princeton: Princeton University Press, 1993).

R. Putnam, Bowling Alone: The Collapse and Revival of American Community (New York: Touchstone Books, 2000).

C. B. Brettell, and J. F. Hollifield (eds.), Migration theory: talking across disciplines (New York: Routledge).

G. Zincone, R. Penninx, and M. Borkert, eds., Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present (Amsterdam: Amsterdam University Press, 2010).

L. Cerna and A. Wietholtz, "Immigration and Integration Policymaking: The British Case," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

D. Schnapper, Qu'est-ce que l'intégration ? (Paris: Editions Gallimard, 2007).

M. Bruquetas-Callejo et al., "Policymaking Related to Immigration and Integration: The Dutch Case," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

G. Zincone, "Immigration and Immigrant Policymaking in Italy – Structures, Actors and Practices," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

M. Bruquetas-Callejo et al., "Immigration and Integration Policymaking in Spain," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

A. Kicinger and I. Koryś, "A new Field to Conquer and Manage: Migration Policymaking in Poland after 1989," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

M. Čaněk and P. Čižinský, "Migration Policies and the Institutional Setting in the Czech Republic," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

C. Wihtol de Wenden, "The case of France," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

O. Clochard, "Les camps d'étrangers, symbole d'une politique," Les blogs du Diplo, June 1, 2010, http://blog.mondediplo.net/2010-06-01-Les-camps-d-etrangers-symbole-d-une-politique.

R. Inglehart, Modernization and Postmodernization: Cultural, Economic, and Political Change in 43 Societies (Princeton: Princeton University Press, 1997).

P. Norris and R. Inglehart, Sacred and Secular: Religion and Politics Worldwide (New York: Cambridge University Press, 2004).

R. Inglehart and C. Welzel, "Changing Mass Priorities: The Link between Modernization and Democracy," Perspectives on Politics 8, no. 2 (2010): 551-567.

S. Vertovec and S. Wessendorf, eds., The Multiculturalism Backlash: European Discourses, Policies and Practices (London: Routledge, 2010).

R. Muttarak and A. Heath, "Who intermarries in Britain? Explaining ethnic diversity in intermarriage patterns," The British Journal of Sociology 61, no. 2 (2010): 275-305.

A. Heath, C. Rothon, and E. Kilpi, "The second generation in Western Europe: Education, unemployment, and occupational attainment," Annual Review of Sociology 34 (2008): 211-34.

G. D'Amato, "Migration and Integration Policies in Switzerland," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

A. Kraler, "Immigrant and Immigration Policymaking in Austria," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

R. Cholewinski and P. Taran, "Migration, governance and human rights: Contemporary dilemmas in the era of gobalization," Refugee Survey Quarterly 28, no. 4 (2010): 1 -33.

F. Hörisch and T. Weishaupt, "In the Midst of the Crisis: Supporting the Unemployed through Direct Job-Creation Schemes?" (presented at the 17th Conference for European Studies, Montreal, 2010).

G. D'Amato, "Auswirkungen der Finanzkrise auf die Migration" (presented at the AOZ, Zürich, 2009).

M. Rist, "Dynamik dank Zuwanderung: Die OCED sieht in der Migration grossen wirtschaftlichen Nutzen," Neue Zürcher Zeitung (Zürich, July 13, 2010), sec. Wirtschaft.

S. Rother, "… und sie migrieren immer noch: Arbeitsmigration in Südostasien 10 Jahre nach der Finanzkrise," Südostasien, 2008.

A. Achermann et al., Country Report: Switzerland, EUDO Citizenship Observatory (Florence: European University Institute, 2009), http://eudo-citizenship.eu/docs/CountryReports/Switzerland.pdf.

L. Togeby, "Prejudice and tolerance in a period of increasing ethnic diversity and growing unemployment: Denmark since 1970," Ethnic and Racial Studies 21, no. 6 (1998): 1137-54.

L. McLaren, "Anti-immigrant prejudice in Europe: contact, threat perception and preferences for the exclusion of migrants," Social Forces 81, no. 3 (2003): 909-37.

E. Kilpi, "Prejudice as a response to changes in competitive threat: Finnish attitudes towards immigrants 1986-2006," Sociology Working Papers 1 (2008), http://www.sociology.ox.ac.uk/research/workingpapers/2008-01.pdf.

S. Schneider, "Anti-immigrant attitudes in Europe: Outgroup size and perceived ethnic threat," European Sociological Review 24, no. 1 (2008): 53-67.

A. Ceobanu and X. Excandell, "Comparative analyses of public attitudes toward immigrants and immigration using multinational survey data: A review of theories and research," Annual Review of Sociology 36, no. 15 (2010).

R. Ford, "Is Racial Prejudice Declining in Britain?," British Journal of Sociology 59, no. 4 (2008): 609-36.

G. Zincone, "Conclusions – Comparing the Making of Migratory Policies," in Migratory Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present, ed. G. Zincone, R. Penninx, and M. Borkert (Amsterdam: Amsterdam University Press, 2010).

T. Hammar, ed., European Immigration Policy: A Comparative Study (Cambridge: Cambridge University Press, 1985).

07

Migration and citizenship in Europe

Political participation, mobilisation and representation

Marco Martiniello

Since the 1980s, migration has been at the top of the political agenda in the European Union. EU countries are at different stages in the migratory process. Some countries are mainly concerned with the settlement of recent arrivals and the control of their borders. Others find themselves in both a migration and a post-migration situation, having already faced several waves of immigration in the past five decades.

It is therefore difficult to compare the political participation of immigrants across European countries. The political mobilization and participation of immigrants are not high on the political and academic agendas of the newer target countries of immigration. Political authorities often focus on identifying spokespeople for immigrant groups and on getting to know the immigrants' needs and expectations. In the older target countries of immigration, political mobilization, participation, and representation of immigrant ethnic minorities have become topical issues, especially at the local and metropolitan levels. In many places, immigrant politicians have been elected to various political assemblies. Some hold positions in the local and even national government.

This paper focuses specifically on the political participation, mobilization, and representation of immigrants and their offspring throughout the European Union. Although we now have a reasonably good knowledge of immigrants' political activities, some gaps remain. The first section presents a typology of the various forms of immigrant political participation. The second section discusses the issue of transnational political participation, and the third and final part identifies gaps in the literature that new research should address.

A TYPOLOGY OF POLITICAL PARTICIPATION BY IMMIGRANTS AND THEIR CHILDREN

For a long time, immigrant political mobilization, participation, and representation were not considered important issues in either academia or politics. Immigrant workers were not considered to be potential citizens but simply political subjects. They were not supposed or expected to be politically active. As guests, they were even expected to observe a devoir de réserve (duty not to interfere). In other words, they were invited not to get involved in their hosts' political and collective affairs. Migrants just played an economic role in the host society to work and produce.

The thesis of political quiescence, or passivity, of immigrants was logically the first to emerge in the European literature on immigration, and it was dominant for a long time. Migrant workers were considered to be apolitical and apathetic (Martiniello 1997; Miller 1982).

On the contrary, migrants have always been involved in politics, either outside or on the margins of both their countries of origin and residence. More recently, migrants and their offspring have become increasingly involved in mainstream political institutions. This process has been facilitated by an extension of voting rights to foreigners in several countries and by a liberalization of nationality laws in others. But just as migrants are not more passive than other citizens, their involvement should not be exaggerated.

We can create a typology that covers legal forms of political participation but excludes terrorism, political violence, and corruption. We can distinguish different types of ethnic or immigrant political participation according to the geographical-political level of action and the contrast between state and non-state politics.

The Geographical-Political Level of Action

The nation state is certainly an imperfect and vulnerable form of political organization. It currently faces both internal and external problems. On the one hand, internal regionalisms and sub-nationalisms seem to be on the increase in some European states. Italy, the United Kingdom, Spain, and Belgium face such difficulties, although with variable intensity. On the other hand, new supranational forces are emerging to challenge the nation state in its present form. The European Union, transnational corporations, and mass telecommunication systems and other new technologies stimulate debate about the possible demise of the nation state. Despite these problems, the nation state remains a crucial setting for political action. We can envisage immigrant political participation both in the country of residence and the country of origin. Political action also takes place from the neighbourhood to the region. The expression "local politics" has a different meaning in each country, although all countries present local opportunities for participation and mobilization.

The 1992 Maastricht Treaty provided a new impetus for the construction of a European political union. The unfinished debate about the EU Constitutional Treaty shows that there are many problems still to be solved, but migrant political action certainly occurs at the EU level. Furthermore, there is no reason why the European Union should constitute the geopolitical limit for such action. It can eventually extend to the world level, for example in the anti-globalization movement or when pro-immigrant groups tend to reach out to the Organisation for Economic Co-operation and Development (OECD) or the United Nations (UN).

State Politics and Non-state Politics

State is used here to refer to the formal political institutions that frame executive, legislative, and judiciary powers. Beyond the state, the polity is also made up of other institutions and actors who take part in defining and managing the society's collective affairs in some way.

State Politics

Three main forms of state ethnic participation and mobilization can be distinguished: electoral politics, parliamentary politics, and consultative politics.

Electoral Politics

Nearly all European states reserve full electoral rights to the countries' nationals, although some have enfranchised aliens at the local level. The United Kingdom is exceptional in extending voting rights in national elections to all

Commonwealth and Irish citizens. Legal obstacles to immigrant electoral partic-
ipation are therefore essentially determined by *jus soli* or naturalization.

The first relevant issue is the electoral turnout of immigrants once they have the
right to vote. Not many studies have dealt with this issue in Europe. Norway
is probably the only European country offering official statistics on the elector-
al turnout of immigrants. The figures recently presented by Statistics Norway
indicate a lower electoral turnout of immigrants compared to other Norwegian
citizens at the municipal and county elections of 2007.[1] Lise Togeby (1999)
tries to explain why the immigrant electoral turnout was higher in Denmark than
in Sweden, for which Anthony Messina (2006) has compiled electoral turnout
data. He shows that immigrant electoral turnout decreased in Sweden between
1976 and 2002 but that Swedes also tended to vote less. In the Dutch case,
Van Heelsum (2000) documents that immigrants are less inclined to vote in the
local elections than are Dutch citizens. In the United Kingdom, Saggar (1998a)
examines the registration and electoral turnout of different ethnic minorities and
concludes that Indians are the most participatory South Asian group. Stud-
ies have not been conducted for other European countries, so it is hard to
make solid generalizations. Available studies show that immigrants participate
less than non-immigrant citizens and that their participation seems to have de-
creased with time, which is often also true of non-immigrant citizens. Finally, the
various immigrant groups also seem to have different turnout rates.

Whom do immigrants support when they do vote? The authors cited here sug-
gest that immigrants are attracted to progressive and green parties. Recently,
the issue of the ethnic vote has attracted attention in some EU countries and
even provoked a political and media panic. US political scientists have exten-
sively studied racial and ethnic voting patterns, especially after the 1965 Voting
Rights Act removed discriminatory barriers for African Americans and other
"protected classes." In Europe, the Community Relations Commission carried
out a study of the importance of the "black vote" during the British general
elections of 1974 (Solomos and Back 1991). Since then, political parties have
shown increasing interest in gathering support from ethnic and black communi-
ties, but few studies have been done. Tillie (2000) examines the ethnic dimen-
sion of the immigrant vote over twelve years in Dutch local elections.

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[1] See http://www.ssb.no/english/subjects/00/01/20/vundk_en/ (accessed 3 March 2008).

In any case, the ethnic vote should always be treated as a contingent phenomenon, not as a presumed ethnic block vote. Researchers must identify the factors and circumstances likely to promote specifically ethnic electoral behaviour, in this case voting by people of immigrant origin. The interplay of two sets of factors influences this: (1) residential concentration, density of social networks, shared experiences of discrimination, and the formation of political elites within an immigrant population, and (2) features of the electoral system (such as voter registration rules, majority or proportional representational voting systems, and rules for determining electoral districts) that create differential incentives for various kinds of groups to participate.

In a first meaning, the *ethnic vote* refers to the votes cast by individuals who belong to the same ethnic group as one or several of the candidates or for a political party that fields candidates from this same group. In this case, the voter considers these candidates or political parties as her or his automatic representatives due to their shared ethnic affiliation. This may be sufficient to win votes irrespective of the political programme proposed. In a second and broader meaning, the ethnic vote appears when a substantial majority of a given ethnic group decides to support a specific candidate or party irrespective of ethnic affiliation.

This collective or block vote may be subject to some degree of bargaining between the immigrant electorate and the candidates who promise to give a particular advantage to them in exchange for their support. This vote can also result from the subjective awareness of the group that one of the candidates or parties really understands their concerns and is therefore more likely to defend their interests. This distinction may not reflect a real difference. It is easy to imagine cases in which the vote could be ethnic in both senses simultaneously. It should nevertheless be stressed that a voter from a specific ethnic group does not necessarily cast an ethnic vote, in either of these two senses.

The potential emergence of an Islamic immigrant vote has recently been prominent in Europe, although we do not know precisely how immigrant-origin Muslim citizens actually vote in many settings. Although there are many Islamic associations, the Islamic parties, such as the Parti des Musulmans de France (PMF) in France, the Parti des Jeunes Musulmans (PJM) in Belgium, the Islamic Party of Britain (IPB), or the Dutch Islamic Party have not so far been able to gain seats in parliamentary elections or local elections. To date, Muslim citizens have mainly voted for traditional mainstream social democratic or conservative

parties, perhaps because the Muslim parties are not led by popular Muslim community leaders.

Parliamentary Politics

The representation of ethnic minorities in central government, parliament, and local government is also an increasingly important issue, especially in those countries that have long-established immigrant populations, such as the United Kingdom, Belgium, France, and the Netherlands. It is quite remarkable that a second-generation Hungarian immigrant, Nicolas Sarkozy, was elected president of the French Republic. As mentioned earlier, he appointed three women of immigrant descent as members of his government. In some districts of Brussels, there seems to be an overrepresentation of immigrant-origin local councillors in the city councils (Martiniello 2007). In Germany, there are German-Turkish politicians in the Bundesrat. And in the United Kingdom, the issue of ethnic representation in elected local government was studied already in the early 1990s (Geddes 2003).

Political philosophers and normative theorists consider whether ethnic minorities have claims to special representation to offset disadvantages they face as discriminated groups in society or as permanent minorities whose concerns risk being consistently overruled in majority decision making. The well-established descriptive representation model holds that representative assemblies should mirror the composition of the wider society (Pitkin 1967; Phillips 1995). Political scientists study how ethnic diversity affects the internal workings of parliamentary assemblies and parties, that is, the emergence of ethnic caucuses or cross-party voting on ethnic issues. Sociologists examine the role of immigrant and ethnic minority politicians and ask to what extent they differ from mainstream politicians in their agendas and their modes of functioning.

Two relatively recent studies deserve specific attention. Garbaye (2005) compares the local ethnic representation in Lille and Roubaix with a British city, Birmingham. He shows that co-optation strategies of the party in power explain why immigrant ethnic representation diverged in the three city councils. In another comparative study, Karen Bird (2005), the Canadian political scientist, examines the political representation of visible minorities in France, Denmark, and Canada. In her view, citizenship regimes, institutional features, and interest constellations are central to understanding the different levels of representation of immigrants in elected assemblies. These factors interact to shape the political opportunity structures for immigrant political representation.

Consultative Politics

Some states have created consultative institutions at the periphery of the state to deal with ethnic groups and immigration problems. Political scientists have criticized the idea of special consultative bodies as leading to a further marginalization of immigrants while giving them the illusion of political participation (Martiniello 1992). Davide Però talks about the comedy of participation in his research on consultation practices in southern European cities (Bauböck 2006). However, a recent Council of Europe initiative puts the issue back on the table (Gsir and Martiniello 2004). As hundreds of consultative bodies have been established across Europe, the Council of Europe seeks to develop common consultation principles and guidelines.

Non-state Politics

As far as non-state politics is concerned, four main avenues of ethnic and immigrant political participation and mobilization can be distinguished: involvement in political parties, involvement in unions, involvement in other pressure groups, and the direct mobilization of ethnic communities.

Political Parties

Political parties are located at the intersection between civil society and state institutions. They translate societal interests and ideologies into legislative outputs, and they train and select personnel for political offices. Party politics is therefore an element of conventional politics. But democratic parties are also voluntary associations, not state institutions that exercise legitimate political authority. Moreover, not all political parties are represented in legislative assemblies. Some stay on the margin of the political system where they often campaign for more radical political change.

Ethnic involvement in political parties first emerged as an issue in Britain with the debate about the black section of the Labour Party in the 1980s (Kalbir 1998). On the continent, the development of France Plus gave another dimension to the problem, which then became a sensitive issue in other countries. France Plus sought to encourage immigrants to join all democratic parties and negotiate their electoral support on the basis of the advantages promised by each of the parties (Baillet 2001). In other countries, some parties also established special structures for immigrants. In Germany, the liberal Freie Demokratische Partei (FDP) hosts a Liberale Türkisch-Deutsche Vereinigung.

As a matter of fact, few continental European studies have explored the participation of immigrants in political parties or the party strategies for attracting immigrant membership. One study (Fanning et al. 2007) looks at one of the newest countries of immigration in the European Union, Ireland. Bryan Fanning and colleagues (2007) examine the specific measures taken by the most important Irish political parties to encourage members of immigrant ethnic groups to become party members.

Union Politics

Immigrant presence in the unions is an older and better-known phenomenon. We could say that union politics is the cradle of immigrant political participation. In Italy, a relatively new country of immigration, the mobilization of immigrants was initially supported by the trade unions, although the contrary has been the case in Greece. The various European unions have had different responses to ethnic and immigration issues (Penninx and Roosblad 2000). Some unions organized specific institutions for migrant workers, whereas others refused to do so in the name of the unity of the working class. In any case, the decline of unions all over Europe is a crucial dimension of studying ethnic participation and mobilization.

Other Pressure Groups

Like other citizens, immigrants also get involved in all kinds of pressure groups and movements that defend a wide variety of interests. In this context, it is relevant to mention the sans-papiers (undocumented migrants) movements across Europe, which used several unconventional types of action, such as hunger strikes and occupation of churches. Barbara Laubenthal (2007) has examined the emergence of the collective action of undocumented immigrants in France, Spain, and Switzerland since the mid-1990s. Étienne Balibar (2001) claims that the movement of the undocumented migrants in Europe has fostered the development of active citizenship through the solidarity it generated between them and a fraction of the local population. Immigrants have also been involved in environmentalist movements, animal rights groups, and similar initiatives, just like any other group of citizens.

Ethnic Community Mobilization

In order to promote and defend political interests or to exert political influence, immigrant groups can operate as collective actors along ethnic, racial, or religious lines. The mobilization of Muslim immigrants around religious concerns has received considerable attention, even though it is only one form of ethnic

political mobilization. Joel Fetzer and Christopher Soper (2004) have recently examined the mobilization of Muslims in Germany and the United Kingdom by looking at the resource mobilization process, the political opportunity structures, and the question of ideology.

TRANSNATIONAL POLITICAL PARTICIPATION

Transnational political activities can take many different forms. Migrants can mobilize in their country of residence to produce a political impact in their country of origin. Party leaders from the country of origin can travel to the countries of residence to gather electoral support in transnationally active migrant communities (Lafleur 2005). Countries of origin also try to use immigrant communities to intervene in the host countries to defend their interests. Sociocultural transnational activities can be numerous and diverse. Examples of this include the selection of expatriate beauty queens to compete in home-country contests and tours by folk music groups from the country of origin to perform for migrants in their country of residence.

At a higher level of abstraction, these transnational practices reveal that a crucial change has occurred with the globalization of the economy, namely the passage from the national to the transnational condition. Not long ago, migrants were considered to be an anomaly within the nation-state framework. With the acceleration of globalization, transnational politics has emerged as a new phenomenon linking immigrant groups in advanced countries with their nations of origin and home towns. This transnational process is "composed of a growing number of persons who live dual lives: speaking two languages, having homes in two countries, and making a living through continuous regular contacts across national borders" (Portes, Guarnizo, and Landolt 1999, 217). Insights into transnational politics are based on the fact that immigrants' integration or incorporation into the host country and transnational practices can occur simultaneously. But more research is needed both at the theoretical and empirical levels to make sense of the impact of transnationalism on immigrants' political participation.

CONCLUSION: RESEARCH PERSPECTIVES

This paper suggests that the literature on immigrant political participation has several gaps, despite its having made dramatic progress over the past decade. Our knowledge remains fragmented and largely confined to specific national contexts. The gender dimension of immigrants' political participation has also not been explored sufficiently. Attempts to produce comparative data, both qualitative and quantitative, with an integrated theoretical framework are still in their earliest stages. It would be interesting, for example, to design cross-EU electoral surveys or exit polls to better understand how citizens with an immigrant or ethnic minority background vote. We have yet to examine their political attitudes in detail. We do not even know who votes for ethnic minority candidates in the various member states of the European Union and who does not. The gender dimension of immigrants' political participation is clear but also largely unstudied to date. In short, we need studies on at least three main topics:

The implications of transnational political participation of migrants and their offspring in Europe. Both theoretical and empirical discussions are needed on the links between immigrant transnational political participation and citizenship in the country of origin and the country of residence. What happens when immigrants who have acquired legal citizenship (nationality) in their country of residence participate politically in their country of origin? How does that affect the common understanding of nationality? Can an individual be an active citizen in more than one polity? What impact does double participation have on identity and belonging? These questions have already been raised and researched in some countries for specific groups of immigrants, but much work remains to be done.

The links between religion and political participation in post-migration situations. New Islamic parties have recently been formed by immigrant-origin citizens or local converts in several EU member states. These parties have not yet had any dramatic electoral success. Nevertheless, in the present context they reveal new developments concerning the links between religion and politics for immigrants and their offspring.

The rise of virtual ethnic and immigrant political communities. The Internet has opened up new channels of political mobilization across state boundaries. The new electronic media may be a potent resource for immigrants engaged in trans-

national political activities across different host countries or between countries of residence and/or origin. We do not know the extent to which immigrants use the Internet for political purposes, however. More attention has been paid to the use of the Internet for global terrorism than to its use for non-violent purposes.

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REFERENCES

Baillet, Dominique (2001), Militants d'origine maghrébine et intégration, Revue CAIRN, 14 (1) : 91-103.

Balibar, Etienne (2001), Nous, citoyens d'Europe ? Les frontières, l'Etat, le peuple, Paris: La Découverte

Bauböck, Rainer (Ed.) (2006), Migration and Citizenship. Legal Status, Rights and Political Participation, Amsterdam: University of Amsterdam Press, IMISCOE Reports.

Bird, Karen (2005), The Political Representation of Visible Minorities in Electoral Democracies: A Comparison of France, Denmark and Canada, Nationalism and Ethnic Politics, 11, (4), 425-465.

Fanning, Shaw, O'Connell and Williams (2007), Irish Political parties, Immigration and Integration in 2007, Research on behalf of the Migration and Citizenship Research Initiative, Dublin: University College Dublin

Fetzer Joel, and Soper Christopher (2004), Muslims and the State in Britain, France, and Germany. Cambridge: Cambridge University Press.

Garbaye, Romain (2005), Getting into Local Power. The Politics of Ethnic Minorities in British and French Cities, Oxford: Blackwell Publishing.

Geddes, Andrew (1993), Asian and Afro-Caribbean Representation in Elected Governments in England and Wales, New Community, 20 (1) 43–58.

Gsir, Sonia and Marco Martiniello (2004), Local consultative bodies for foreign residents – a handbook. Strasbourg: Council of Europe Publishing.

Kalbir, Shukra (1998), The Changing Pattern of Black Politics in Britain, London: Pluto Press

Laubenthal, Barbara (2007), The Emergence of Pro-Regularization Movements in Western Europe, International Migration, 45 (3), 101-133

Martiniello, Marco (1992), Leadership et pouvoir dans les communautés d'origine immigrée. Paris: CIEMI, L'Harmattan.

Martiniello, Marco (1997), Quelle participation politique?, in Collectif, La Belgique et ses immigres. Les politiques manquées, Bruxelles: De Boeck Université, Pol-His, 101-120

Martiniello, Marco (2007), Belges d'origine étrangère das les systèmes politiques régional et communal bruxellois (1994-2000), in Delwit P., Rea A. et Swyngedouw M. (sous la direction de), Bruxelles. Ville ouverte, Paris: L'Harmattan, 163-180.

Messina, Anthony M. (2006), The Political Incorporation of Immigrants in Europe: Trends and I mplications, in Messina A. M. and Lahav G. (Eds.), The Migration Reader. Exploring Politics and Policies, Boulder, London: Lynne Rienner Publications, 470-493.

Miller, Mark J. (1982), The political impact of foreign labor: a re-evaluation of the Western European experience, International Migration Review, 16, 1, 27-60.

Penninx, Rinus and Roosblad, Judith (Eds.) (2000), Trade Unions, Immigration, and Immigrants in Europe, 1960-1993: A Comparative Study of the Attitudes and Actions of Trade Unions in Seven West European Countries, New York/Oxford: Berghahn Books

Philips, Anne (1995), The Politics of Presence. Oxford: Oxford University Press.

Pitkin, Hanna Fenichel (1967), The Concept of Representation. Berkeley: University of California Press.

Portes, Alejandro, Luis E. Guarnizo and Patricia Landolt (1999), The study of transnationalism: pitfalls and promise of an emergent research field, Ethnic and Racial Studies 22(2): 217-237.

Saggar, Shamit (ed.) (1998a), Race and British Electoral Politics. London: UCL Press.

Saggar, Shamit (1998b), British South Asian Elites and Political Participation: Testing the Cultural Thesis, Revue Europénne des Migrations Internationales, 14, (2), 51-70.

Solomos, John and Les Back (1991), Black political mobilisation and the struggle for equality, The Sociological Review 39(2): 215-237.

Tillie Jean (2000), De etnische stem. Opkomst en stemgedrag van migranten tijdens gemeenter-aadsverkiezingen, 1986-1998 [The Ethnic Vote. Turnout and Voting Behavior of Migrants during Municipal Elections, 1986-1998], Utrecht: Forum.

Togeby, Lise (1999), "Migrants at the polls: an analysis of immigrant and refugee participation in Danish local polls." Journal of Ethnic and Migration Studies. 25 – (4): 665-684.

Van Heelsum, Anja (2000), "Political Participation of Migrants in the Netherlands." Paper presented to the International Metropolis Conference, Rotterdam, November 13-20.

08

Migration and
the Welfare State

Trends, Challenges and Contradictions

Bernhard Perchinig

INTRODUCTION

The relationship between welfare and migration is a vividly discussed topic in modern social science thinking. The issue is debated from several angles: From a theoretical point of view the link between welfare states and diversity is the main focus, in particular the role of cultural homogeneity in safeguarding people´s readiness to contribute to the "common good" by paying taxes and social security contributions. A second prominent focus concerns the role of welfare in migration and the role of migrants as contributors and users of welfare and the question of "welfare gains" or "welfare losses" through migration. From the migrant perspective, the debate concentrates on access to welfare systems and the transferability of entitlements – a perspective often lacking the link to general welfare theory. The following paper will start with a discussion of the history of the concept of "welfare state" and the relationship between welfare, homogeneity and diversity. It will then discuss the different modes of welfare funding within different welfare regimes and their relation to mobility, followed by the role welfare regimes play in migration decision making and the actual use of welfare by migrants. Finally, it will draw conclusions on the future of welfare in an age of migration.

THE WELFARE STATE AS A SYSTEM
OF ORGANIZED SOLIDARITY

The welfare state has two different aims: mitigating risks for the individual, and improving social equality. Although welfare regimes vary widely with regard to scope and institutional settings, they share a challenge: the definition of the scope of their activities and the boundaries of membership. Both are linked to historical predecessors: early welfare systems were based on two different types of commonalities – occupation and belonging to a municipality by descent – and these two main concepts of solidarity, membership of a guild, a trade union or another type of status group, and belonging based on descent or residence, still largely shape the way welfare states are organized in Europe today.

Early welfare systems focused solely on poor relief, and were not concerned with social inequality. With the growing influence of the labour movement on the development of the European welfare state in the 19th and 20th centuries, two further goals were linked with welfare: the reduction of social inequality and the "decommodification" of labour – freeing workers from the pressure to sell their labour under any conditions by entitling them to receive means of support in the event of unemployment, illness and retirement. Unlike poor relief, which was based on charity, citizenship of a state or contributions to an insurance system now became the criteria for a legal entitlement, which was largely independent of wealth and property. The residual welfare systems in the Anglo-Saxon world did not develop in the same way, but still link support strongly to neediness.

According to the major narratives of European welfare state theory, these developments were inextricably linked to the development of the nation state. Since the late 18th and 19th centuries, nation states had become the main units of both political control and social integration in Europe. Nation building essentially meant the idea of congruence of culture and the state, which was achieved by the establishment of a national language, a national school system and the military, which together transformed the population into a "people", conceived as a group sharing language, culture and understanding of history being bound into an "imagined community" (Anderson 1983, Gellner 1983).

This process of internal homogenization, supported by the "banal nationalism" (Billig 1995) of everyday life, furthered an understanding of belonging to an "ethical community" characterized by sympathy for co-nationals which was able to bridge divisions of class and foster a sense of mutual trust to a large degree.

These processes were preconditions for the development of a welfare state, which "nationalized" welfare and aimed not only at mitigating risks for its citizens, but also at limiting social inequality within the population. According to influential welfare state theorists, both aims would hinge on voluntary cooperation and the readiness to contribute to the "common good" and would need a certain degree of cultural homogeneity and a sense of national identity among the population: "In states lacking a common national identity (….) trust may exist within groups, but not across them" (David Miller 1995, 92). According to this school of thought, self-interest alone might be sufficient for welfare systems aiming at protecting people against unpredictable hazards; an extended understanding of welfare including redistribution would require the identification of the better-off people with the beneficiaries of redistribution, and this would be best achieved by a sense of common national identity. From this influential viewpoint in welfare state theory, socio-cultural diversity is a potential threat to the readiness of a population to contribute to the tax and social welfare system (Miller 2006, 328).

This position has been widely criticized by sociologists and economists. Criticism has focused on two main aspects: the theoretical assumptions, and the empirical proof of the argument. At the normative level, theorists of "liberal multiculturalism" (Kymlicka 1995, 2006) have argued in favour of replacing the idea of a "national identity" by "constitutional patriotism", defining identity as the common allegiance to a set of democratic rules and legally codified values, as all conceptions of identity based on a common culture, language or heritage had been delegitimized by European pre-war history and would also prevent both societal learning and economic and social development. In order to overcome the devastating effects of nationalism, societies would need to combine liberal universalism with the recognition of minority cultures and allow for the accommodation of culturally based rights within a constitutionally safeguarded human rights framework.

The second criticism concerns the lack of empirical evidence of negative effects of politics fostering cultural diversity in the welfare state. Here the results are mixed. Based on an analysis of macro-indicators in 54 countries, Alesina and Glaeser (2004, 133ff.) on the one hand have demonstrated a statistically significant negative correlation between "racial fractionalisation" in society and the level of social spending, whereby in the European welfare states the correlation between ethnic heterogeneity and spending was weaker than in the Americas. Soroka et al (2006) also found a negative correlation between the

level of immigration and spending rates on social security. Analysing the link between welfare and multiculturalism policies in 20 mostly European welfare states, Banting and Kymlicka (2006) did not find any correlation between welfare generosity and multiculturalism. According to this study, levels of social spending can be explained by such factors as economic growth, the openness of the economy, unemployment levels, the age structure of the population, the religious complexion of the country, the strength of organized labour, the ideological position of historically dominant political parties, and the structure of political institutions, but not by the degree of diversity in the society and multiculturalism policies. The analysis of the European Social Survey 2002/2003 by Mau (2007) indeed found more support for the welfare state in heterogeneous societies compared to more homogeneous societies, and a meta-analysis of studies on welfare and migration by Joppke (2009) confirmed that the move to resize the welfare state in Europe was not triggered by immigration, but by a developing neo-liberal consensus among the European political elites.

Although not entirely clear, the empirical studies do not strongly support the argument that "nationalized social solidarity" would be a necessary precondition for the welfare state. Growing socio-cultural diversity due to migration challenges traditional modes of legitimization of the welfare state, but does not pose a threat to the welfare state per se.

WELFARE REGIMES AND WELFARE MOBILITY

For the analysis of welfare regimes, Gøsta Esping-Andersen's (1990, 1999) welfare regime typology serves as the starting point. Focusing on systematic variations in decommodification, relations between the state, the market and the family in service provisions and different stratifying effects of social policies, Esping-Andersen described three types of welfare state regimes in Europe:

1) A social democratic or Scandinavian model with high levels of decommodification, universal rights-based social benefits based on domicile and/or citizenship,

2) A liberal or Anglo-Saxon model with low levels of decommodification, a preference for private welfare spending and needs-based benefits, and

3) A conservative or Continental model with a moderate degree of decommodification, restricted solidarity based on occupational status, and social benefits anchored in labour market participation (Sainsbury 2006, 231, Arts/Gelissen 2010, 571).

This division has influenced a broad debate on welfare regime typologies resulting in more than twelve alternative typologies (Arts/Gelissen 2010, 575f.), most of which repeat the three types above, but supplement them by alternative types. Two of them, the "Southern European Welfare State" with a specific reliance on family networks, and the "Emerging Welfare States" in the post-communist countries of Eastern Europe, which most often resemble the liberal model (Castles/Obinger 2008), have been largely accepted as new and distinct types by welfare theorists. Furthermore, the development of Union Citizenship and the EU immigration acquis, in particular the Long-Term Residence Directive granting equal access to the labour market and social welfare for third-country nationals holding this status, have rendered citizenship largely obsolete as a condition for access to social welfare and contributed to a growing alignment of the models.

Nevertheless, the different trajectories of European welfare systems are still important to an understanding of the modes of boundary drawing. In the social-democratic as well as the liberal model, domicile is the main criterion for membership, whereas the conservative model is based on contributing to an insurance scheme for a minimum period of time. The "Southern Model" often combines a highly differentiated, contribution-based system with informal, kinship-linked regulation of access to a specific position in the labour market leading to access to different types of insurance.

Welfare systems are usually understood to combine regulatory policies in different realms: social assistance as a measure to alleviate hardship irrespective of previous contributions, health insurance and unemployment insurance granting the replacement of income for the period of unemployment or health-induced absence from employment, and the pension system securing income in the case of retirement[1]. A look at the different systems by type of services shows more commonalities than differences:

In all systems, access to *social assistance* is linked to de facto residence and is needs based. In most countries social assistance is needs based, and there is no legal entitlement to social assistance for tourists or other persons not holding a residence title, although in practice some forms of basic social assistance are often provided by NGOs, which are paid for these services, most often by local or regional governments. Only in a few cases, e.g. the case of non-refoulment,

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[1] Broader concepts of welfare also include education and policies regulating access to the labour market. These aspects are not discussed here.

do persons not holding a residence title have access to social assistance. Funding is usually provided by the tax system, and the entitlement to assistance is linked to residence in the country and is lost upon leaving the country.

Access to *health care* is organised around two main principles: In countries following the "Beveridge model", health care is provided to all citizens/residents, and residence is a key criterion for the distribution of users to service providers. There is usually a single public system providing the same type of care for everybody, and services not covered by the public health system have to be organized outside and paid for privately. The system is usually tax funded, although for certain services, e.g. medical tools and appliances, cost sharing may apply. The "Bismarck" model comprises a variety of public health insurance schemes with different levels of entitlement. Access to health care, except emergency health care, is provided by contributing to one of the insurance schemes. In most cases, funding is provided by these insurance schemes with tax support, and cost sharing with the patient may apply. Both models usually demand residency in the country and restrict their services to services provided there: only if there are bi- or multilateral agreements, or in the case of EU membership of the country concerned, may services in other countries be used.

Unemployment support schemes can also be based on a Beveridge or a Bismarck model. Although the two models differ with regard to the reproduction of social stratification among the unemployed, both systems usually link access to residence. Within the European Union, however, unemployment benefits in one member state can be claimed for a limited period of time when looking for a job in another member state.

Pension systems are usually based either on capital stock accumulation or pay-as-you-go schemes. Capital stock schemes are characteristic of residual, Anglo-Saxon types of welfare state and reflect an individualistic approach – the capital accumulated individually during employment serves as income during retirement. Pay-as-you-go schemes, which can be contribution or tax funded, or a combination of the two, are characteristic of both Nordic and Conservative welfare states and are based on the idea of intergenerational solidarity within a community, as retirement income is paid for by the contributions of the economically active. Furthermore, the income generated by capital stock schemes is dependent on the development of stock markets, which are global, whereas pay-as-you-go schemes link the retirement income to economic development in a given state. Here we find a difference that is relevant with regard to mobility:

whereas capital stock systems allow an easy transfer of entitlements, pay-as-you-go schemes often link entitlements, or at least those parts of entitlements not covered by contributions, to residence.

This widespread immobility of welfare not only constitutes a challenge to internationally mobile people and to the ethical conception of justice, but also acts as an incentive for sedentariness. Whenever mobility is linked to loss of entitlements, which have been earned by contributing to the tax or social insurance system in a country, mobility is discouraged and mobile people are punished financially. In this way, immigrants who might be interested in returning to their country of origin after a certain period of time are pushed into permanent settlement.

Further to this effect, both tax- and contribution-funded welfare regimes face a structural conflict with the concept of international mobility whenever they rely on the concept of a territorially bound intergenerational community and a "contract between the generations". Mobile persons spending their life in several countries will enjoy their retirement in only one of them, or in their country of origin. For them there is no rational motive to feel bound to a "contract between the generations", as they will lose entitlements when leaving a country. As long as there are no bilateral social security agreements securing transferability of contributions, contributions to welfare systems lead to a reduction in income which will never be compensated for. Also, definitions of poverty thresholds and "need" do not reflect the reality of transnational households and transnational obligations between family members, as they only refer to the situation of the household in the given country.

In a world of growing mobility, welfare too has to become more mobile than it is now. The traditional concept of welfare states based on a largely sedentary population, united by a common culture and national identity and constituting a territorial and intergenerational community of funders and recipients, has to be developed into a concept of transnational welfare allowing transferability of rights and entitlements across borders. These changes need a perspective that goes beyond the limits of the container models of the nation state framing current welfare debates.

IS WELFARE A MAGNET FOR MIGRATION?

Theories of welfare and migration focus on two different aspects: on the one hand, the role welfare generosity plays as a factor in migration decision making, and, in particular, on the choice of the country of immigration, and on the other hand on the effects of migration on the economy of welfare – are social security budgets benefitting or losing from migration?

The debate was opened with a seminal paper by George Borjas (1999) on "Immigration and Welfare Magnets". In the paper, he analysed if and how welfare generosity acted as a pull factor for migrants and how it influenced the skill composition of immigrants. The paper was based on the analysis of the relationship between the spatial distribution of migrants and the welfare generosity in different states of the US and came to the conclusion that more generous welfare attracted immigrants who otherwise would not have migrated, and also retained migrants who otherwise would have returned home. According to this analysis, immigrants tended to cluster in states offering the highest social benefits, which led Borjas – despite a caveat on the weak statistical significance of his findings – to the conclusion "that (…) differences in welfare benefits generate strong magnetic effects on the immigrant population." (Borjas 1999, 635).

Borjas' study has been criticized for neglecting the role of social networks and migration policies, but nevertheless triggered a large number of empirical studies on the link between welfare and migration patterns, yielding contradictory results (quotes below from Giuletti & Wahba 2012). Analysing the US censuses of 1990, Meyer (1998) found moderate evidence of welfare migration to the US, whereas McKinnish (2005, 2007) found indicators that welfare generosity might act as a magnet for those migrants likely to receive benefits.

Whereas US studies tend to prove a positive correlation between welfare generosity and migration, European studies report mixed results. De Giorgi and Pellizzari (2009), for example, found only a small effect of welfare generosity on migration decisions, although they also argue that restrictive migration policies might have reduced the welfare effect. Razin and Wahba (2011) found that generosity of unemployment benefits had an effect on migration from outside, but not from within the EU in their analysis of data from 19 European countries spanning the period from 1993 to 2008. Furthermore, they pointed to the fact that the generosity of welfare impacted on the skills composition of immigrants, as low-skilled migrants in particular would be attracted by welfare. On the oth-

er hand, a study analysing determinants of inflows to OECD countries found that social networks and not welfare were the most important pull factors for migrants (Pedersen et al. 2008), whereas another study (Blanchflower/Lawton 2009) argued that welfare generosity would only act as a magnet if linked to strong labour demand.

To summarise, there does not seem to be a simple and direct link between welfare generosity and migration in the European Union, or a substantial impact of the one on the other, although the two areas do not seem to be completely unrelated. In general, migrants come for work and not for welfare (Zimmermann 2013), but further research is necessary to improve our understanding of the relationship between welfare and migration.

A clear answer can be given to the second prominent issue in this area, i.e. the relationship between immigration, welfare expenditures and immigrant contributions. According to the 2013 International Migration Outlook of the OECD (OECD 2013), in most OECD countries migrants contribute more in taxes and social insurance payments than they receive in individual benefits. Only in France, Germany and Poland are costs higher than gains, but this difference is not due to higher benefit usage, but to lower employment or lower wages. Consequently, raising employment levels for migrants would actually increase the fiscal well-being of countries.

ACCESS OF MIGRANTS TO WELFARE

Welfare state policies aim at redistributing resources in order to increase equality and justice and to attenuate the inequality inherent in capitalist societies. After World War II, European welfare regimes developed in a nation-state framework reflecting the specific history of social conflicts and policy configurations in each state, and largely stayed path dependent in their development until the end of the 1980s (Esping-Andersen 1996).

Depending on the welfare system configuration, access of migrants to welfare provisions differed substantially (Sainsbury 2012). In postcolonial immigration contexts like the UK, their status as citizens of the former empire allowed for equal access to welfare services. In the Nordic countries, the social democratic welfare state concept was based on the inclusion of all legal residents, leading to equality of access independent of citizenship for those holding a legal residence status, but excluding irregular immigrants from most of the services; the

latter were treated worse than in "guest worker countries". In the "guest worker regimes" like Germany, Austria and Switzerland, which had also implemented conservative, insurance-based welfare systems, a complex picture arose. While migrants had equal access to most insurance-based compensations and services, they were often excluded from access to social support services based on needs, which often contained a citizenship clause as a condition for access. On the other hand, the federalist structure of Germany, Austria and Switzerland led to substantial regional differences with regard to access to social support services. Furthermore, in "guest worker countries" the catholic and protestant churches or welfare associations were often commissioned to provide welfare services for immigrants outside the mainstream welfare structure. France, which on the other hand can be classified as a hybrid migration regime (Kofman et al 2000), gave its immigrants easy access to citizenship and to mainstream welfare services, but refused to recognise ethnic and religious differences in service provision.

Further to these variations, the different approaches towards cultural diversity inherent in the different migration policy systems – ranging from exclusionary assimilationism in the guest worker regimes to different types of multiculturalism in the UK and the Nordic countries and a policy of assimilationist inclusion in France – led to a broad variety of institutional welfare settings with regard to the accommodation of difference. This has become more complex precisely because the changing governance and siting of welfare away from the state may leave more scope for ethnic and faith-based bodies to organize welfare, whereas policies focusing on the duty of immigrants to integrate into given societal structures might counteract these tendencies.

Different approaches towards diversity also interact with the type of welfare provisions. Whereas "welfare in cash", like unemployment compensation or pensions, but also transfer payments replacing direct service provisions in the field of elderly care, allows the diversity of needs to be accommodated in the market (if specific demands reach a certain threshold and regional concentration), institutionalized "welfare in kind" always embodies a certain, historically contingent framing of the relations between state, market and family and a specific institutional culture. As such, welfare services in kind not only lead to inclusion in the welfare configuration of a given society, but also articulate the daily routine of the "normal" and "abnormal" and tend to exclude those who do not fit into this narrative.

So, despite the drive towards equal access conditions for long-term resident immigrants initiated by EU legislation, in particular the Long-Term Resident Directive and the Status Directive, in practice there are still major differences with regard to access of immigrants to welfare provisions. As a recent comparative analysis has shown (Sainsbury 2012), non-citizens and immigrants of colour in particular are still often treated unequally:

"In contrast to the widespread assumption in the international migration literature that there is little difference in the social rights of citizens and immigrants who are legal residents, the preceding analysis has found major disparities in the substantive social rights of immigrants and citizen households across welfare states. Furthermore, discrepancies widened with respect to non-citizens and immigrants of colour. (…) Immigrant households are less likely to receive benefits in relation to their needs compared to citizens. (…) Equally important, the analysis underlines that immigration is a source of differentiation in social rights. Irrespective of welfare state regime, immigration status influences the likelihood of being poor. (…) In short, a new pattern of stratification related to immigration and citizenship status emerges, and it largely cuts across welfare states." (Sainsbury 2012, 130).

Welfare states have obviously not been successful in integrating immigrants on an equal footing with citizens. Further to the challenges migration poses to the conceptual foundations of welfare, welfare systems do not seem to be well prepared to deal with diversity, and still discriminate recipients based on citizenship and colour. With growing mobility, equality of treatment of citizens and non-citizens and strong legal and institutional protection against ethnic and racial discrimination will have to gain importance in order to better cope with migration and diversity.

CONCLUSIONS

Existing welfare regimes are not well prepared to cope with mobility and diversity. Migration poses a challenge to the configuration of welfare regimes, in particular if they are based on the idea of a territorial and intergenerational community. In particular, schemes relying on a predominantly sedentary population, like pay-as-you-go pension systems, will have to find new solutions in a more mobile future. Diversity and mobility do not challenge the welfare state per

se, but highlight the need to better adapt existing welfare regimes to growing mobility by making welfare entitlements mobile.

As a variety of studies have shown, immigrants do not come for welfare, but for work. Not welfare, but job opportunities and existing social networks and diasporas are the main pull factors for migration, and at least for Europe the "welfare magnet" hypothesis has not proven true. Furthermore, migrants of colour and non-citizens in particular still face widespread discrimination with regard to access to welfare.

These observations highlight the growing importance of labour market inclusion, the recognition of qualifications and equal access to open positions, access to labour rights and protection against discrimination. Migrants seek work, not welfare, thus a renewed focus on labour rights should be given priority in the further development of migration policies.

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REFERENCES

Alesina, A.; Glaeser E.L. 2004: Fighting Poverty in the US and Europe. A World of Difference. Oxford (OUP)

Anderson, B. 1983: Imagined communities. Reflections on the Origin and Spread of Nationalism. London (Verso)

Arts, W.A.; Gelissen J. 2010: Models of the Welfare State. In: Castles, Francis G. et al. (eds.): The Oxford Handbook of the Welfare State. Oxford (OUP), 254-267.

Banting, K.; Kymlicka, W.; Johnston, R.; Soroka, St. 2006: Do Multiculturalism Policies erode the welfare state? An empirical analysis. In: Keith Banting, Will Kymlicka (eds.): Multiculturalism and the Welfare State: Recognition and Redistribution in Advanced Democracies. Oxford (OUP), 49-91.

Billig, M. 1995: Banal nationalism. London (Sage)

Blanchflower, D.G.; Lawton H. 2009: The Impact of the Recent Expansion of the EU on the UK Labour Market. In: M. Kahanec; K.F. Zimmermann (eds.): EU Labour Markets After Post-Enlargement Migration. Berlin (Springer), 181-218.

Borjas, G. J. 1999: Immigration and Welfare Magnets. In: Journal of Labour Economics 17/4, 607-637.

Castles, F.G.; Obinger H. 2008: Worlds, Families, Regimes: Country Clusters in European and OECD Area Public Policy. In: West European Politics 31/1-2, 321-344.

De Giorgi, G.; Pellizzari M. 2009: Welfare Migration in Europe. In: Labour Economics 16/4, 353-363.

Esping-Andersen, G. 1990: The Three Worlds of Welfare Capitalism. Princeton (Princeton University Press).

Esping-Andersen, G. 1999: Social Foundations of Postindustrial Economics. Oxford (OUP).

Gellner, E. 1983: Nations and Nationalism. Ithaca (Cornell University Press)

Giuletti, C.; Wahba, J. 2012: Welfare Migration. IZA Discussion Paper 6450. Bonn (IZA)

Kymlicka, W. 1995: Multicultural Citizenship. A Liberal Theory of Minority Rights. Oxford (OUP).

Kymlicka, W.; Banting K. 2006: Immigration, Multiculturalism and the Welfare State. In: Ethics and International Affairs 20/3, 281-304.

Mau, St.; Burkhardt, Ch. 2009: Ethnic diversity and welfare state solidarity in Europe. In: Journal of European Social Policy 19, 213-229.

McKinnish T. 2007: Welfare-Induced Migration at State Borders. New Evidence from Micro-Data. In: Journal of Public Economics 91/3-4, 437-450.

McKinnish, T. 2005: Importing the Poor. Welfare Magnetism and Cross-Border Welfare Migration. In: Journal of Human Resources 40/1, 57-76.

Meyer, B.D. 1998: Do the Poor Move to Receive Higher Welfare Benefits? JPCR Working Paper 58,

Miller, D. 1995: On Nationality. Oxford (OUP),

Miller, D. 2006: Multiculturalism and the Welfare State: Theoretical Reflections. In: Banting, K.; Kymlicka, W.: (eds.): Do Multiculturalism Policies Erode the Welfare State? Oxford (OUP), 323-338

OECD 2013: International Migration Outlook 2013. Paris (OECD)

Razin, A.; Wahba J. 2011: Welfare Magnet Hypothesis, Fiscal Burden and Immigration Skill Selectivity. NBER Working Paper 17515. Cambridge/MA (NBER)

Sainsbury, D. 2012: Welfare States and Immigrant Rights. The Politics of Inclusion and Exclusion. Oxford (OUP).

Zimmermann, K. F. 2013: The Mobility Challenge for Growth and Integration in Europe. IZA Policy Paper 69. Bonn (IZA)

09

Climate change, conflict and displacement

Consequences for international protection

Andrew Geddes

INTRODUCTION

This chapter analyses what can be called the climate change-conflict-displacement (C-C-D) triad and argues that while this raises powerful and important questions of direct relevance to the international policy agenda it is also the case that the links are complex. This complexity has implications for responses to the protection gaps that arise as a result of displacement linked to environmental and climate change. Such displacement can, of course, be unpredictable and, as a result, difficult to analyse, but there are indisputably important implications now and in the future for international protection and for governance institutions at national and international levels. There is unlikely to be some 'magic bullet' in the form of a new international protection category – such as the 'climate refugee' – that will address these complex issues. One reason for this, as this chapter shows, is that displacement can be linked to interactions between environmental/climate change and conflict, but other issues can also influence displacement such as movement towards new forms of conflict, as well as those people that cannot move and may be trapped in areas in which they can be exposed to serious threats.

THE COMPLEXITIES OF THE C-C-D TRIAD

The causes and effects of climate change are key issues on the international policy agenda. They raise a host of important practical and ethical problems that present major challenges to governance systems while also bringing into clear focus the relatively weak and under-developed structures of global governance. Part of the challenge is to understand more precisely the effects of climate change on the sources of conflict and on displacement that can arise as a result of conflict, i.e. the C-C-D triad. There are links between climate change, conflict and displacement but these are not necessarily simple and linear. Thus, it is not straightforwardly the case that environmental and climate changes are causes of conflict with a clear and subsequent link to displacement. Instead, as this chapter shows, new and emerging research points to the ways in which the effects of climate change need to be located alongside other potential drivers of migration in order to fully appreciate the C-C-D relationship. In turn, the rethinking of the relationship has implications for international protection and for other policy areas too. By challenging the linear account identified above it is possible to draw out a range of implications for international protection that go beyond the assumption of a simple causal link between environmental and climate changes as causes of conflict that lead to displacement.

This chapter draws on new research in order to explore links between climate change, conflict and displacement and show how migration – whether understood as voluntary or forced – is embedded in a complex matrix of potential drivers that mediate the effects of natural and social change and can lead to various kinds of outcome with important implications for policy.

A quick note on terminology is also necessary. There is a basic distinction in law and policy between migration assumed to be forced and that which is understood as voluntary. There are, for example, regional and international frameworks that seek to protect the rights of those that are displaced, either internally or internationally. There is no similar framework for 'voluntary' migrants. However, it is well known that it can be very difficult to draw a neat distinction between voluntary and forced migration and that this becomes very clear in the case of the C-C-D triad. For example, environmental change can have powerful effects on the sustainability of livelihoods and can also be a source of conflict, but slow-onset environmental change may not be as visible as a driver of migration as natural disasters. For example, natural disasters such as earthquakes and tsunamis led to 17 million people being displaced in 2009, while in 2010

this number increased to 42 million. Such disasters have led to displacement, with people forced to leave their homes for shorter or longer periods. Less visible, however, are the effects of slower-onset environmental changes such as the drying of land and the subsequent consequences for the sustainability of livelihoods in rural areas. Moreover, resource scarcity can lead to conflict, although it will be less easy to identify the environmental trigger alongside other potential drivers of migration for the effects of these slower-onset changes are gradual when compared to a natural disaster. This said, it is also the case that resource abundance and competition for control of resources can also be a cause of conflict (Collier et al, 2009). This terminological point is more than simply a semantic detail. Hundreds of millions of people are exposed to risks arising as a result of environmental and climate change with implications for the C-C-D triad, but the complex causes of migration (and, as will be discussed later, of 'non-migration') mean that this is not as visible compared to the effects of natural disasters, which has implications for the conceptual and practical organisation of these policy issues.

THE IMPACT OF NEW RESEARCH

There is an emerging body of work that explores the C-C-D triad. One such intervention occurred in 2011 in the form of the UK Government Office for Science's 'Foresight' report entitled Migration and Global Environmental Change: Future Challenges and Opportunities, which sought to explore the likely effects of environmental change on human migration through until 2060. The potential effects of conflicts arising from environmental and climate change were, of course, central to this report's work and its findings. The Foresight report surveyed existing case study research in order to confirm the correlation between environmental stress and conflict and also to show that drought and resource scarcity can interact with displacement. To provide a practical example, resource shortages and conflict in dryland areas can lead to migration. So, for example, there is evidence of conflicts linked to seasonal or drought-induced grazing shortages in parts of Africa, or where new land use practices disrupt traditional patterns of migration and access to resources. However, the relationships between social and political differences, competition for resources and conflict are not straightforward. For example, when conflict does arise it can occur between groups within states (as has been the case in Sudan and Somalia) or across international borders in remote areas that are not well connected to national security systems (as has been the case across the Uganda–Kenya

border) (Foresight, 2011: 73). However, the Foresight report also notes that there is 'little evidence available to support the theoretical notion that environmentally induced conflict will cause migration, or that migration influenced by environmental change will cause conflict' (Foresight, 2011: 20).

The Foresight report emphasised the location of the C-C-D triad within what it characterised as 'complex chains of causation' with the result that 'whether populations are displaced by conflict is conditional on both assets and impacts on those populations' (Foresight, 2011: 116). The Foresight report's survey of existing evidence suggested that it was necessary to unpick these complex chains of causation and then to think through the implications for policy, including international protection. To boil this down to a more straightforward observation, a key message of the Foresight report was that the links between environmental and climate change, conflict and displacement had been misunderstood. This did not mean that there were no such links, but that the links are more complex than previously thought. In particular, it is important to reject simple, linear assumptions that climate change causes conflict and leads to displacement, and instead factor in other potential outcomes that also have important implications for policy, including international protection. These other potential outcomes are that people may flee conflict but move towards other forms of conflict, which means that we must factor the direction of movement into analyses. In addition, we must also take seriously the very real possibility that people may not be able to move, even in the face of significant threats to their personal safety, and thus may find themselves 'trapped' in areas where they are exposed to serious effects of environmental and climate change that can also be a source of conflict. The result is that there is not 'simply' one challenge confronting policy makers (people fleeing conflict), but three challenges: those that flee; those that flee but may move towards other forms of conflict; and those that are not able to move and may find themselves 'trapped' in areas where there is a significant threat to their own safety and that of their families. For example, armed conflict in Somalia has negatively affected movement by pastoralists who would seek to relocate in the face of drought but have found it more difficult to do so, while, because of the conflict, humanitarian organisations have found it more difficult to access drought- affected areas.

POTENTIAL OUTCOMES: DISPLACEMENT AND TRAPPED POPULATIONS

It is helpful to specify in a little more detail the three potential outcomes that were identified above:

› People may be forced to move as a result of changes in climate that may provoke conflict over, for example, resources. This conforms with what could be understood as the linear understanding of the relationship between climate change, conflict and displacement: climate change can lead to conflict which cases displacement. This displacement can either be within states (internal displacement) or between states (international displacement). Both internal and international displacement pose important challenges for policy makers and have become important components of regional and international policy agendas.

› As already noted, it is necessary to move beyond a simple and linear understanding as expressed in the previous point and its underlying assumption that people 'escape from violence' to seek protection. It may well be the case that people do seek to move away from forms of conflict that have environmental changes as one of their causes – such as conflict over water resources – but this says little about the direction of movement. We now consider the possibility that displaced people move towards places that expose them to vulnerabilities, including the risk of conflict. If we also begin to consider the places to which people move then we draw into view a range of other policy issues and begin to see a more complex relationship between environmental/climate change, conflict and displacement. For example, it is well known that a key global trend is movement towards fast-growing urban areas in parts of Asia and Africa. It is also well known that many of these are coastal cities. So, people may seek to flee from conflict and it may also be the case that environmental or climate change can be a cause of this conflict, but it would be mistaken to assume that this necessarily equates with an escape from violence and movement towards protection. But this tells us little about the places to which people move. There has been massive migration (largely internal but also international) towards these fast-growing urban areas in Africa and Asia, many of which are in low-lying coastal areas. New migrants often find themselves living in the areas of those cities that are most exposed to the potential effects of climate change, such as rising sea levels. They may also live in informal settlements which then pose a host of social challenges with direct policy relevance, including housing,

health and education. As the Foresight report (2011: 114) notes: 'In the case of urbanisation in Africa, as much as of immigration to Europe, access to physical space and essential resources including water, housing pressures, rapid growth of the labour force in constrained markets and aspirations to elite positions when they are of limited availability are all areas where there is evidence of inflow leading to a rise in urban tensions' (see also Rodgers, 2010). The number of African urban poor is expected to exceed 400 million by 2015 (Auclair, 2005). To sum up, a simple linear understanding of the relationship between change in climate, conflict and displacement says little about the direction of movement. There is clearly an important global trend involving movement towards fast-growing urban areas. Much of this movement is internal migration within states, but does raise pressing governance challenges, albeit ones that do not ordinarily feature on the agendas of migration policy makers, such as urban governance. At the very least, this point does highlight the need to make connections across policy areas and to see links between migration and other key global developments that interact with migration, such as urbanisation.

The two points made above both centre on the ways in which environmental and climate change can interact with conflict and can then lead to people being displaced. The first focused on the issue of 'escape' and the quest for protection, either for those that are internally displaced or for those that move across state borders. The second point factored into the analysis the direction of movement and showed that it is important to think about how climate change, conflict and displacement can interact with other important global trends such as urbanisation with the result that those who are fleeing violence may find themselves moving to fast-growing urban areas in which there can be conflicts over resources that do not fall within the typical domain of migration policy and international protection, but that do clearly have a close relationship to the causes and effects of migration. We now move on to explore a third point that has very direct relevance to international protection, but has been somewhat neglected. This is the fact that many people may not be able to move, even in the face of significant danger.

›   Thus far it has been assumed that a significant threat to safety will be a powerful driver of migration in search of protection. In many ways, this seems a sound assumption as it does seem realistic to expect that conflict will cause people to flee. We can also see that conflicts around the world, particularly in the Middle East, have led to massive displacement with a terrible human

cost. Yet, when we look at Israel and Palestine we can see that conflict over water resources and water scarcity have been important features of conflict, but there is no evidence of conflict over water resources causing conflict and, in turn, this leading to migration. In such circumstances, it becomes pertinent to ask why there has been so little migration, even in the face of significant water stresses in areas such as Israel–West Bank and Gaza and also in other Eastern Mediterranean areas such as Cyprus (Clemens and Selby, 2011). The answer to this question derives from a fuller assessment of the potential drivers of migration and their effects. More particularly, it is important to account for the very real possibility – with powerful, important and neglected implications – that people may not be able to move (or in the case of Palestinians are fearful of not being able to return) and may find themselves 'trapped' in areas in which there are significant threats to their safety.

Thus far, this chapter has suggested three potential outcomes arising from links between environmental/climate change, conflict and displacement; namely 'escape' from violence, moving towards new forms of conflict, and being unable to move with the risk of being trapped. To this can also be added the potentially negative effects on the places from which people are displaced. If displacement is not followed by return then it can become more difficult to maintain sustainable economies. This has been evident in the decline of irrigated agriculture in the Kurdish areas of Iraq. The result is that ' displacement associated with environmental change can have major and long-term impacts beyond the immediate displacement events, impinging on economic growth, the legitimacy of government and the social contract for protection of citizens' (Foresight, 2011: 116).

MOVING AWAY FROM IDEAS OF THE 'ENVIRONMENTAL TRIGGER'

We can now look more closely at what the Foresight report described as the complex chain of causation, which means that we must treat with caution the simple, linear assumption that climate change causes conflict and leads to displacement.

A significant problem with much of the earlier work on links between environmental/climate change and migration was its assumption of what could be called an 'environmental trigger'. Put another way, agenda-setting work analysed the

potential implications of environmental change for human migration by essentially identifying 'at risk' populations and assuming that these people would be forced to migrate as a result of environmental or climatic change. The result was the projected migration of potentially hundreds of millions of people and the entry into policy-related discourse of evocative terms such as 'environmental migrants' or 'climate refugees'. The latter is particularly relevant to this chapter's discussion as it suggests that new categories of international protection are needed that apply to groups of people – perhaps even to entire populations – who are forced to move as a result of environmental and climate change. Moreover, the responsibility to protect should fall on those countries that have played key roles in inducing the climate changes that have forced people to move (Biermann). A positive effect of academic and advocacy work linked to understandings of the links between environmental and climate change and migration was that it drew attention to a pressing international issue with the capacity to negatively affect the lives of hundreds of millions of people.

However, there have been other ways of interpreting links between environmental and climate change, conflict and migration. The postulated movement of hundreds of millions of people has been represented as a security threat or, as the European Union has put it, a 'threat multiplier'. Thus, environmental and climate change can exacerbate the existing causes of conflict and lead to additional large-scale movements. The result is that research and advocacy that points to the possible displacement of hundreds of millions of people has also fuelled security-driven approaches that lead to the conceptualisation of environmental and climate change as threat multipliers. However, the development above of the three ways of understanding possible links between environmental/climate change, conflict and displacement suggests that this narrowly focused and security-driven approach may lack the calibration that is necessary to adequately address the very real and pressing issues that might arise and that have direct and important implications for international protection, as well as for a range of other policy areas.

To understand why this is the case it is helpful to step back and think about the factors that underpin the relationship between environmental/climate change, conflict and displacement. As already noted, conflict can lead to displacement that can be either within states or between states. Both internal and international displacement raise issues that have led to responses at both regional and international levels (and which will be explored more fully below). However, conflict is but one potential driver of migration. It is also the case that other factors can

serve as potential drivers of migration. It is important also to note the use of the word' potential', because the presence of a factor that could lead people to migrate does not necessarily mean that people will migrate (whether this movement be 'voluntary' or 'forced'). The remainder of this section focuses on the development of two core insights with implications for international protection:

1. The C-C-D triad is embedded within a complex chain of causation. It is the case that conflict can be a potential driver of migration, but it is also the case that a range of other factors will also play a powerful role in affecting whether or not a person moves, the conditions under which they move and the distance/duration of this movement. For example, it is well known that economic factors play a key role in influencing decisions whether or not to move. Put simply, migration will be strongly influenced by the level of resources. This will have an effect on those who are displaced and will, for example, contribute to the often-observed outcome of displacement linked to conflict, which is movement to the next safe place. More generally, there is a body of research that focuses on the strong political economy of conflict, with economic factors seen as influencing the course of conflict. The result of this is that subsequent patterns of migration, including displacement, will respond as much to the economic destruction that arises from the conflict as to the conflict itself (Collinson, 2003). It is also the case that development policies focused on poverty reduction and the promotion of sustainable livelihoods can address the causes of conflict and enhance security for both states and peoples (Foresight 2011:: 47). Economic resources can also influence the distance and duration of migration, including displacement; but also affect whether or not a person can move in the first place. This brings us back to the point made above, which is that even in the face of significant threats to personal safety, it may be difficult for people to move. Other factors play a role too. For example, it is also well established in migration research that social networks can play a role in structuring migration by providing the social resources necessary to facilitate migration. Those without such resources are likely to find it more difficult to move. Demographic factors play a role too: it is, for example, well known that younger people are more likely to migrate than older people. Finally, environmental factors can play a role in shaping migration decisions: for example, the drying of land can reduce the sustainability of rural livelihoods, while natural disasters can lead to large-scale displacement. The result is that conflict is a potential driver of migration, but will interact with other potential drivers that are economic, social, demographic and environmental. The direct policy implications for the C-C-D

triad are twofold. First, it can be very difficult to tease out the effects of environmental and climate change on conflict and on subsequent displacement. This is because economic, social, demographic and environmental factors also play a role. Moreover, the effects of slower-onset environmental change can lead to conflicts over resources and can lead to migration, but this might not register on the international policy agenda as displacement, even though there may well be a clear relationship to the C-C-D triad. Second, it can be very difficult to identify groups of people who would fall into categories such as 'environmental migrants or 'climate refugees'. This is not to understate the seriousness of the issues, but it is to highlight the fact that displacement is multi-causal and arises from the interactions that occur between various potential drivers (economic, political, social, demographic and environmental).

2. The C-C-D triad could be understood as posing a challenge to governance systems, but this understanding might be mistaken because the challenge may actually arise from changes in governance systems themselves (Geddes, et al, 2012). Again, this is more than a semantic point because it actually has important implications for how we conceive of the policy challenges linked to the C-C-D triad. Put another way, these challenges could be viewed as being to governance systems, i.e. as issues to which these systems must respond. However, this understanding has a significant limitation because the C-C-D triad needs to be understood as arising directly from underlying changes in governance systems. For example, poverty and inequality are key drivers of migration and displacement and are necessarily associated with the operation and effects of governance systems and their effects on the distribution of resources. These are not issues that relate to migration policy or international protection per se, but they do have a powerful influence on movement that might fall into these categories. The implication is that governance is understood as prior to rather than subsequent to the C-C-D triad, with the result that the C-C-D triad is nested within a broader range of policy issues that arise from the effects and interaction of conflict with other economic, social, political, demographic and environmental drivers of migration. One example of these interactions is that poverty can make it more difficult for individuals and communities to withstand threats, whether these threats arise from ecological change or from conflict. Moreover, as already noted, the challenge is unlikely to be only one of 'escape from violence' because there can also be movement towards risk (including new forms of conflict in urban areas) and risks associated with non-migration ('trapped populations'). An example of all three of these issues and their implications for protection

policy can be found in the case of Zimbabwe. For example, during the period of political crisis after 2000 there were also droughts that were actually less severe than those that had been experienced in previous years, but they occurred in a time in which levels of vulnerability were higher because of the political conflict and its economic effects. It was also the case that hundreds of thousands of Zimbabweans were displaced either internally or internationally, mainly across the border into South Africa. It has been estimated that around 25 per cent (c. 3 million people) out of a total population of between 10 million and 12 million have left Zimbabwe as a result of the crisis, and that of these between 1.5 million and 2 million have moved to South Africa. For those that have moved to South Africa, the interactions between ecological factors, economic crisis and political instability that had caused their movement meant that people lacked economic and social resources and were forced to live in slum conditions in shanty towns where they also faced racism and xenophobia. More 'hidden' are those who were not able to move, such as those that lacked the resources to do so, which may be economic, but also physical; this means that movement is more difficult for older people and children, who are, of course, likely to be even more vulnerable to the threats identified above. This more hidden issue of 'non-migration' was also evident in Ghana in the late 1970s and early 1980s, when environmental change had negative effects on agricultural productivity and on rural livelihoods that combined with a deteriorating political situation to limit potential migration precisely because of these negative effects of economic and political changes (Van der Geest, 2011).

IMPLICATIONS FOR INTERNATIONAL PROTECTION

This analysis now moves on to look more closely at the implications for international protection. It does so by exploring measures at regional and international levels that relate both to people that are internally displaced (IDPs) and those people that are displaced across state borders and require international protection. It is suggested that connections need to be made between international protection and a range of other policy areas that relate to the protection of those who move for reasons linked to the effects of environmental or climate change and conflict. An immediate problem is that there is no comprehensive international governance framework or setting that seems able to develop a comprehensive response to the issues posed by the C-C-D triad, and it seems unlikely that one will develop. This then means working within existing frameworks and

seeking to improve both their operation and effectiveness. One way to under-stand these connections at policy and institutional level is the idea of a 'regime complex', which describes the observable reality of an international governance setting of partially overlapping and non-hierarchical institutions (Keohane and Victor, 2011). This can lead to problems of fragmentation and incoherence, but can also provide advantages of flexibility and adaptability to facilitate the development of responses.

An immediate and fundamental issue is the target of policy interventions. It has been argued that such a category could apply to people who move as a result of rapid or slower-onset changes in their natural environments such as sea-lev-el rise, extreme weather events, and drought and water scarcity (Biermann and Boas, 2010). This would mark an innovation in the international protection framework that would be even more notable if, as some suggest, the category was not organised at individual level but would apply to whole communities or perhaps even to entire populations in the case of small island states. There are significant problems in identifying a group of people that would fall into the category of 'climate refugees'. It is very difficult to disentangle environmental factors from other causes of displacement. This becomes even more difficult for slower-onset changes that will interact with economic, social, political and demographic factors to make it almost impossible to specify environmental change as a driver of migration. Moreover, as also discussed, to focus solely on this issue might also neglect movement that occurs towards new forms of conflict or those that are not able to move and run the risk of being trapped. It is unlikely that such issues will fall within the domain of international protection because they also raise issues associated with urban governance. The result is that to pursue the creation of new categories within the international protection framework may not only raise insurmountable conceptual issues, but also run the risk of neglecting other important ways of framing and responding to the challenges associated with the C-C-D triad. For example, there may be scope for the development of links in terms of both policy and institutional responses by connecting the C-C-D agenda to the mitigation and adaptation frameworks that shape policy responses to environmental and climate change at national and international levels. A powerful way of understanding these challenges has been captured by the notion of 'survival migration' in response to serious or existential threats to livelihoods or personal safety (Betts, 2010). The argument developed by the Foresight report was that protection frameworks need to focus on the needs and rights of those that have been displaced rather than focusing on the factors that caused them to move in the first place. This is be-

cause refugees and displaced people may face serious abuses of their rights irrespective of the 'cause' of their movement, which is likely to have arisen as a result of interactions between a variety of factors that led to their movement and to the associated vulnerabilities. This was the case for many Zimbabweans who fell into the category of 'illegal' migrants in South Africa, even though their movement clearly related to the effects of the C-C-D triad and interaction with economic and political crisis.

An example of a flexible and adaptive response is the development at UN level and as a result of thorough expert consultation of 'soft principles' that bypassed the need for potentially lengthy and fruitless interstate negotiations. These principles were presented to the UN Commission for Human Rights in 1998 and were endorsed by the General Assembly. They provide protection from forced displacement, assistance during forced displacement and measures for reintegration and resettlement. There is scope within these provisions for measures to protect those for whom displacement is linked to environmental and climate change, and this is an example of how existing measures that emerged in a more bottom-up way as a result of expert consultation can create ostensibly softer sets of principles that have the longer-term effect of becoming accepted understandings of the issues and of setting the agenda for responses at national and international level. Thus, for example, more than 20 countries have begun to incorporate these principles into their national law, while the African Union in 2009 agreed the Kampala Convention establishing Guiding Principles on Internal Displacement. This includes provisions in Article 5(4) that relate directly to environmental change when it is provided that: 'State parties shall take measures to protect and assist persons who have been internally displaced due to natural or human made disasters, including climate change'. A weakness of agreements such as the GPID is that its legal basis in international law means that ratification was required by 15 of the AU's 54 member states before it could enter into effect. This occurred in December 2012.

In terms of international protection, other developments reflect the fragmentation of the 'regime complex' at international level, but also indicate scope for future progress. Two can be highlighted. The first is the need to make links across policy areas and governance levels in order to reflect the 'complex chain of causation' which, as noted earlier, underpins the C-C-D triad. The 'cluster approach' developed by the UN's Inter Agency Standing Committee (IASC) co-ordinates UN and non-UN humanitarian organisations in situations that exemplify the regime complex of fragmented and non-hierarchical international

governance. For example, UNHCR leads on 'conflict-induced' IDPs, with IOM and the International Federation of Red Cross and Red Crescent Societies (IFRC) leading on internal displacement due to natural disasters. The second is analogous in some respects to the emergence of soft principles and internal displacement in the late 1990s through expert-led consultations and the use of scientific expertise. It takes the form of the connection that has been made between environmental and climate change, migration and displacement in Paragraph 14 (f) of the Cancun Adaptation Framework adopted as part of the Cancun Agreements at the 2010 Climate Change Conference. Paragraph 14(f) calls upon states to enhance their action on adaptation by pursuing a range of measures, including 'to enhance understanding, coordination and cooperation with regard to climate change induced displacement, migration and planned relocation, where appropriate, at the national, regional and international levels'.

CONCLUSION

This chapter has explored the implications for international protection of the C-C-D triad. It began by pointing to the complex relationship between these issues. It was noted that environmental and climate change can be causes of displacement as a result of, for example, resource scarcity or competition for resources. However, it was also noted that an array of other factors are likely to intervene in this relationship and lead to a broader range of potential outcomes with implications for policy and governance. The first of these is that displacement may occur as a result of conflicts that can be linked to climate change, but this says little about the direction of movement. It is here that we see interaction with other important global trends such as rapid urban development in parts of Asia and Africa. The key point is that people may move towards and not away from risk, i.e. towards new forms of conflict that may heighten the vulnerability of those that are displaced, but may figure on the policy agenda as matters of urban governance linked to housing, health, education and security. It was also argued that we need to take seriously the complex chain of causation and move away from the idea of the 'environmental trigger'. In particular, the interaction between economic, political, social, demographic and environmental factors may mean that people lack the resources to move and find themselves trapped in areas where they are exposed to serious risks.

The chapter then turned to explore implications for the protection of those that are internally and internationally displaced. It was noted that there is no comprehensive international framework and that one is unlikely to emerge. It was also noted that the difficulty of specifying environmental or climate change as the 'cause' of migration means that it is very difficult at both a conceptual and practical level to see the utility of the 'climate refugee' category. Instead, policy makers are likely to encounter a regime complex of non-hierarchical and partially overlapping institutions that present problems of fragmentation and lack of coherence but may be more flexible and adaptable to emerging issues such as those linking climate change, conflict and displacement. In particular, these can provide the basis for expert-led consultations that can play a role in mobilising scientific expertise to help develop new understandings of policy concerns and add greater 'epistemic' authority to policy debate. This has been most evident in the origins and subsequent diffusion of the GPIP. A key issue is the transposition of such measures into hard and fast legal frameworks that are not only incorporated into national law but are also effective, as this can require significant resources to ensure the safety and protection of rights of those who are displaced.

AUTHOR

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Maximizing the benefits of migration for countries of origin, destination and migrants alike

Oliver Bakewell

INTRODUCTION

Development and migration have always been intimately linked social process-es. Change in society is almost invariably associated with people moving in some way. Economic development creates new jobs and it requires workers to come from somewhere. For example, as new mines are being established in the North West of Zambia, people are moving into areas, expanding existing towns and creating new settlements. China's economic growth has only been possible with a massive population movement from rural areas to the cities. Even at the level of individuals, progress in life is often associated with migra-tion; for example, for a young woman to gain an advanced education she will probably need to move to university in a different region. Social and economic changes inevitably affect patterns of movement. Likewise, the distribution of the population will affect the social and economic potential of a region. If there is only the population of a village to deploy, it will only be possible to sustain the level of activities characteristic of a village. It is a two-way relationship. Again,

in the case of China, economic growth generated migration, but it can also be argued that migration helped to sustain economic development.

However obvious these links may be, they have often been ignored. In the early 1990s, an official at the International Labour Office in Geneva was reported as saying: 'Migration and development – nobody believes that anymore' (1996: 401). Today it would be harder to find anyone who does not 'believe in' the close relationship between migration and development, as it has become the focus of numerous policy initiatives, especially in the last ten years. It was highlighted by the Global Commission on International Migration in 2003. This was followed by the United Nations High Level Dialogue on Migration and Development in 2006, which set in train the Global Forum on Migration and Development which is now coming to its sixth meeting. Today, many govern-ments, alongside the World Bank, the United Nations Development Programme, the International Organisation of Migration and the International Labour Office, among many other international organisations, are all working on a complex ar-ray of programmes on migration and development. This has spawned a further set of initiatives to support this nascent 'M&D' industry, including a plethora of academic studies and new platforms such as the EC-UN Joint Migration and Development Initiative (JMDI) that sets out to share good practice in the field.[1] The stated overall aim for most of these activities is 'to effectively harness the potential of migration for development'.

This paper asks what progress this burst of interest in migration and devel-opment has made towards meeting this aim and, thinking to the future, what prospect is there of it doing so in the coming years. More critically, it reflects on the assumptions underpinning these aims and activities and asks how we might better understand the relationships between development and migration.

THE CHANGING DEVELOPMENT AND MIGRATION SCENE

It is only possible in the space available to trace a few of the changes in the development scene over the last twenty years. Just three broad areas that have had a particular impact on the relationship between migration and devel-opment are highlighted here – the changing geography, agenda and technol-ogy of development.

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[1] www.migration4development.org

There has been a remarkable change in the geography of development. In 1993, the world was still coming to terms with the collapse of the Soviet Union and the redrawing of the borders of Europe and Central Asia – which had an immediate impact on migration by redefining approximately 20 million people across the former USSR as international migrants. To some extent this led to an expansion of the 'developing world' with the economic decline in many parts of the former communist bloc, accelerated by conflict, especially in the Balkans and the Caucasus. It also brought the poverty of these previously inaccessible areas into the view of development actors, making them the new targets of development programmes. The impact of these changes in global geopolitics rippled out across the world, contributing to the end of apartheid in South Africa, cementing democratisation in Central and South America, and introducing new uncertainty into Central Asia, in particular Afghanistan.

Over the last decade the geography has shifted again as the growth in the economies of the BRICS countries – Brazil, Russia, India, China and South Africa – has created new centres of production and consumption, challenging the future domination of the global economy by Western Europe and North America. Moreover, they have become important poles for international migration, attracting migrants from within their regions and beyond. While they have rapidly growing middle classes and many millions are moving out of poverty, these countries have staggering levels of inequality. The extent to which the BRICS and other expanding economies should continue to be considered as developing countries is unclear. Most notably, some western aid donors have closed down their South American aid programmes. Nonetheless, the geographical focus for global development aid has shifted towards the poorest regions of the world, especially sub-Saharan Africa and some parts of Asia.

The adoption of the Millennium Development Goals (MDG) in 2000 also shifted the thematic focus of development aid towards interventions that would help states to reach the goals by 2015, addressing poverty, education, gender equality, child mortality, maternal healthcare, disease control and environmental sustainability. The MDGs did not take any account of migration as a factor that could support development, and reports on development progress rarely make any mention of migration. This neglect of migration is oft lamented by migration organisations, in particular the International Organization for Migration. As the deadline for the MDGs approaches, there have been many calls to bring migration into the post-2015 development agenda (see IOM 2013b: 181).

Another fundamental shift over the last two decades has been the technological and communication revolution. It is worth recalling how far things have moved. Twenty years ago, the telephone networks of many developing countries were very limited and expensive. For an aid programme in the African Great Lakes in 1994 operating beyond the reach of landlines, communication over distance was only possible through short-wave radio or extremely cumbersome and expensive satellite telephones – units the size of briefcases costing $10 per minute to make calls. Within the decade, mobile phone networks had reached right across Africa and introduced ever more advanced services to the wider population. Likewise, road networks have expanded and the price of air travel has dropped significantly in real terms. This has important implications for the migration and development debate. On the one hand, people's horizons and imaginations of the good life have been expanded – the possibilities of the rest of the world are better known, even in the most distant corner of the world. This may tend to increase people's aspirations to migrate. On the other hand, those who migrate are now better able to sustain day-to-day contact with their place of origin, even in remote rural areas, changing the character of the involvement with their homeland and potentially opening new opportunities for their engagement in development.

The directions and scale of migration have shifted with the changing patterns of development over the last twenty years. For example, economic development in the BRICS has been accompanied by increased levels of rural-urban migration, immigration from the region and also diasporic return (emigrants and the descendants of earlier generations of emigrants). The last of these has been of particular interest for the migration and development debate, especially people returning from wealthier countries with financial capital, high levels of education and business skills.

Alongside these changes in the development scene, there has been a fundamental shift in perception about the links between migration and development. Until the late 1990s, the relationship was seen in a largely negative light and migration was understood as a problem for development. Rural-urban migration was seen as an inevitable part of industrialisation and development, but there was great concern about uncontrolled urbanisation and the loss of agricultural labour. When it came to international migration, there was great concern about the loss of the most highly-skilled workers from the developing countries: the so-called brain drain. The significance of migrants' remittances to their areas of origin was recognised, but they were found to be used disproportionately for consumption rather than making a contribution to development.

These views were increasingly challenged by geographers, sociologists and development specialists (Appleyard 1989; de Haan 1999; Massey, Arango, Hugo, Kouaouci, Pellegrino, and Taylor 1998; Skeldon 1997) and this helped start the re-evaluation of the links between migration and development. However, there were other important factors that spurred the upsurge in policy interest in the field. First, in 2003, the World Bank's Global Development Finance Report highlighted the massive growth in international migrants' remittances to the extent that they surpassed official aid and foreign direct investment (Ratha 2003). Set alongside the widespread perception that existing development policies were not successfully reducing poverty, this offered the prospect of migrants providing new channels for development assistance that bypassed the government aid structures (Kapur 2004: 7). Second, with globalisation and the growing ease of travel and communication as noted above came the recognition of the critical role of transnational practices in shaping the relationship between migration and development (Levitt 1998; Sørensen, Van Hear, and Engberg-Pedersen 2002; Vertovec and Cohen 1999). Third, there were growing numbers of international migrants in the world and a growing political concern about irregular migration from developing countries to Europe and North America. The failure of development was regularly presented as the cause of these migration trends (Baldwin-Edwards 2006).

As a result, the links between migration and development came under new scrutiny in both academic and policy circles. The rather negative discourse of previous decades gave way to a much more positive perspective. Now the concern was to understand how migration could best contribute to development. While it was still seen as presenting enormous challenges for development, there was now the tantalising prospect of achieving a triple win, where migration brings benefits for the countries of origin, the countries of destination and the migrants themselves. Over the last decade, most attention has been focused on three broad areas of interaction between migration and development: remittances, human resource transfers, and transnational/translocal action.

The volume of remittances by international migrants to developing countries has grown enormously, from about $85 billion in 2000 to over $400 billion in 2013.[2] These figures are likely to be underestimates as they only capture the money that is sent via formal channels and recorded by banks and national authorities.

[2] www.worldbank.org/en/news/feature/2013/10/02/Migrants-from-developing-countries-to-send-home-414-billion-in-earnings-in-2013

Moreover, they do not reflect the cash sent by internal migrants to their home areas. The extent to which they can contribute to development has generated considerable ongoing debate. First, there is concern about the impact of remittances on inequality and relative deprivation. For the most part, remittances are received only by families with links to migrants, so those who have no such connections are excluded. Given that migration requires access to resources to fund the journey and settlement in a new area, the poorest families are less likely to migrate. There has also been much interest in the gendered differences in remittance-sending behaviour and the control of remittance use. Second, there are many questions about how the use of remittances may serve development. If much of the income is spent on imports and luxury goods, there may be very limited impact on local markets. In poorer households remittances may be used for immediate consumption, such as paying school fees, hospital bills, weddings, funerals. To what extent does this make a contribution to development compared to the remittances that are used for investment to create business or build up capital?

Nonetheless, there is little doubt that remittances do provide a macro-economic benefit through their contribution to the foreign exchange balance of developing countries. The enthusiasm for 'capturing remittances' is being tempered by those who emphasise the private nature of these transactions (see, for example, Ratha 2007: 7). There have been considerable efforts to maximise the flow of migrants' remittances towards developing countries and increase their contribution to development. This has included working with the financial services industry to reduce the cost of sending remittances and help to encourage migrants to send more funds through the formal banking system. There has been a move away from restrictions on foreign exchange transfer and attempts by states to subject them to taxation, as that resulted in migrants sending more money via informal channels. Instead, some states, such as Egypt and Colombia, are now offering tax breaks to encourage overseas citizens to send more cash to relatives. To increase competition among money transfer companies, there have been a range of projects to make comparative information on their fees widely available to migrants. Other measures include creating new channels for remittance flows, for example working with post offices and cooperatives and making banking services more widely available in origin countries.

There is also considerable interest in the potential contribution of 'social remittances' to development. These are 'the ideas, behaviours, identities and social capital that flow from sending to receiving countries' (Levitt 1998). Living

in different societies, migrants are exposed to new cultural experiences and practices, some of which they may adopt and introduce to their homeland. This is made very visible in the form of consumption patterns, where migrants introduce their families and friends to clothing and music fashions or introduce new foods. It may also be concerned with socio-cultural change as migrants develop different views of gender equality, liberalism, religion, ideas about marriage and so forth. They may also introduce new attitudes towards business and entrepreneurship, corruption, bureaucracy and the role of the state. Migrants' political experience in the country of destination may contribute to new forms of political engagement in the country of origin, ranging from support for political change or even revolution.

The extent to which social remittances may be seen as contributing to development will vary enormously depending on the nature of the changes they inspire. Where they create pressure to reduce corruption, enhance democratic accountability, support gender equality or improved health practices (to take some examples), there is potential for a very positive impact. In contrast, where they generate increased demand for fashionable imports, introduce gangland culture (as seen in Latin America among young men who have been in the US), or ferment violent political opposition, the contribution of social remittances may be called into question.

This exchange of social attitudes and behaviours is closely related to the second major area of concern in the migration development debate: human resource transfers. As people move they take with them their labour power, their skills and expertise. This inevitably affects development in different contexts. In rural areas where labour is in short supply, migration to urban areas has been associated with declining agricultural production. In contrast, where there are high levels of youth unemployment, the possibility of emigration can act as safety valve, providing new opportunities and relieving local political pressure.

The outmigration of highly-educated workers, the 'brain drain', has been identified as a major concern for developing countries, with the loss of a large proportion of graduates, especially in the health and education sectors (Clemens 2007; Docquier, Lohest, and Marfouk 2007; Levatino and Pécoud 2012; Raghuram 2009). Some argue that the problem lies in the imbalance between graduate training and the opportunities available: indeed, the possibility of emigration may increase the attraction for students entering these fields, thereby increasing the total pool of trained people (Clemens 2007). There has also been

a lot of debate about how wealthy countries that benefit from the migrants' education should compensate the countries of origin for the cost of the training they provided. Some suggest that the problem is overstated, as the additional training that migrants gain while abroad and the remittances they send outweigh the origin countries' investments in education. Those migrants who return with their enhanced skills can thereby turn the 'brain drain' into the 'brain gain' – or, if they move back and forth, 'brain circulation'.

The third way in which migration is likely to affect development is through the on-going active engagement of migrants and their descendants – often referred to as the diaspora – in their place of origin. This reaches beyond remittances to a range of other interventions that may support development. On the one hand, this may involve commercially minded investments in businesses or government bonds that inject much-needed foreign currency and stimulate employment. On the other hand, it may be concerned with explicit support for development activities, including fund-raising for national development priorities; working alongside existing development actors such as NGOs; and creating new development institutions and initiatives.

Of course, many migrants and their descendants have always maintained some links with their countries. There is nothing new in their sending remittances or sustaining economic and political engagement. What has changed in the last twenty years is the attitude of states and the development industry. This engagement is now being celebrated – where it may have gone unmentioned before – and there have been many new policy initiatives to enhance the contribution of diasporas to development. There has been increasing recognition of diaspora members as development actors by the 'mainstream' development industry of donors, aid agencies, international organisations and developing states. This has generated much discussion about how to enhance the diasporas' contribution to development and an emerging body of good practice in handbooks and manuals (Agunias and Newland 2012; IOM 2013a).

Some states, such as India and Morocco, used to view those who had emigrated with some ambivalence or even with suspicion as deserters of the national cause and potential political enemies. Today, as they recognise the potential contribution of migrants to development, this has changed and these states are looking for ways to help migrants maintain the links, sustain the culture and, crucially, keep sending remittances. There has been a rapid increase in the number of countries establishing clear ministerial responsibility for diaspora

affairs (Agunias and Newland 2012). Many others have established sub-ministry institutions (usually attached to the ministry of labour or foreign affairs). Practical measures suggested to encourage on-going diaspora engagement include changing citizenship laws, offering voting rights, enhancing property rights or introducing special bonds for those that a state recognise as being part of the diaspora.

When it comes to development practice, there have been a range of initiatives to engage migrants and diasporas in development activity. Firstly, some donors and international NGOs have attempted to include diaspora members in development planning. For the Dutch and British governments diaspora engagement has been a major strand of their migration and development activities. In the UK, the Department for International Development (DFID) created Connections for Development, a forum for multiple diasporas to work together and present a united front in the dialogue with government. In the Netherlands there have been attempts to incorporate diaspora organisations in their NGO co-financing arrangements, and encourage existing co-financing NGOs to support diaspora activity. Neither of these have been successful (Vammen and Brønden 2012: 33-35).

Another approach has been to encourage diaspora members to work in development fields in their countries or region of origin. Again this is building on well-established programmes to provide opportunities for diaspora members to work as volunteers in their country of origin – providing particular expertise. For many years, UNDP has operated TOKTEN, Transfer of Knowledge Through Expatriate Nationals. IOM started a programme initially called the Return of Qualified African Nationals, which has now become MIDA and is more concerned with short-term assignments in Africa. This reflects a trend across the diaspora (or even migration) and development policies – a general retreat from explicit associations between development initiatives and return.

CHALLENGES

As the very brief outline of the changes over the last two decades shows, the linkages between migration and development are very complex and subject to great debate. The analysis of how migration may affect any form of development will vary depending on the context, the perspective of the different actors and the scale of analysis. For example, at the national level it may be clear that

the migrants' remittances contribute positively to foreign exchange reserves, thereby strengthening the national economy. However, if we look at the level of the migrants' community of origin, the picture will look rather different. There may be economic and social advancement for the relatives who can establish new small businesses, but other smaller businesses which have no access to extra capital may collapse in the face of this increased competition. Given the complexity of these relationships, it is not surprising that the various initiatives to maximise the benefits of migration for development have faced multiple challenges of a technical, socio-political and conceptual nature.

Technical challenges

Like any development interventions, projects that are designed to increase the contribution of migration to development face great technical challenges at different stages of the project. Some have struggled with implementation as 'beneficiaries', or others expected to participate in the project have not performed as anticipated. For example, as noted above, attempts by the UK and Dutch governments to engage diaspora organisations in existing development aid structures have met with very little success, as diaspora organisations have neither submitted to co-ordination nor conformed to the requirements for receiving government funding.

Others have delivered the project outputs but the impact remains rather unclear. The attempts to provide better information on the fees different companies charge for remittance transfers has generated a range of publicity materials and websites. However, it is not clear how much these are actually being used and their effectiveness seems rather limited (Agunias and Newland 2012: 116). In other cases, it is unclear how impact can be assessed in the light of the complex, context-dependent interlinkages between migration and development. Diaspora bonds that encourage migrants and their descendants to invest in the country of origin may be taken up enthusiastically, but this may be simply absorbing funds that people planned to invest anyway. Creating incentives for the return of skilled migrants may successfully attract people to come back to their country of origin, but potentially at the cost of creating tensions between those returning and the residents who never had the opportunity to train abroad.

In practice, successful interventions on migration and development tend to be associated with countries where there is development progress on multiple fronts; for example, see the cases cited by IOM and MPI in Agunias and Newland (2012), which are drawn predominantly from middle-income countries.

What is critical is that there is a political, social, economic and regulatory environment that supports development. This includes factors such as a functioning state, the (relatively) clear operation of the rule of law and property rights, and the availability of basic services, especially healthcare and education. There is no evidence to suggest that migration and migrants can create such environments; this comes from broader social transformation. This makes mapping out the clear impact of any specific migration and development initiative extremely difficult. It may deliver numerical success in terms of money invested, businesses started, or migrants returning but its distinctive contribution to development that would not have been realised in the absence of the policy or project is much less clear.

Socio-political challenges

This lack of clear success relates to a second major challenge for those working in migration and development: maintaining the momentum. As noted at the start of this paper, there has been an important reappraisal of the relationship between migration and development over the last twenty years. While there are strong intellectual reasons for analysing this relationship, many of the forces driving this interest arise from political and social concerns, in particular about migration. Much of the renewed focus on migration and development has centred around measures that resonate very closely with the migration and other policy interests of states: for example, encouraging migrants to use formal banking channels to transfer cash (a concern that is reinforced by appeals to security and anti-terrorism agendas)[3] or linking up diaspora engagement for development with return migration and circular migration policies. In short, the migration and development agenda has largely been driven by migration concerns and actors involved in migration policy (Skeldon 2008).

This creates two problems. First, it tends to put tremendous burdens on poor migrants from developing countries who have now been identified as development actors. This may also distract attention from some of the more fundamental institutional changes required to create the environment for substantial development progress. Second, it appears to set up the development agenda for failure yet again. One of the attractions that drew new attention to the relationship between migration and development was the perceived failures of standard models of development. However, when ideas about migration

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[3] Most recently seen, with potentially devastating effect, in the withdrawal of mainstream banks' support for Somali remittance service providers.

and development have been taken forward into policy, the results have not been very encouraging, as Vammen and Brønden's (2012) analysis shows. They struggled to find many different concrete projects and initiatives on migration and development, even from the UK and Dutch governments, which both adopted high-profile positions. They suggest that one of the key routes for policy makers to make migration work for development – i.e. engaging the diaspora – is extremely complex and challenging. Moreover, the association of 'migration and development' initiatives with controls on visas, policies on return migration and migration management seems likely to undermine, if not reverse, the benefits for development. Hence, while embracing migration appeared to point towards a new way of doing development, there are signs that the enthusiasm for going down this route is waning.

In general, there has been relatively little buy-in from mainstream development organisations and practitioners to the migration and development agenda. It remains a small part of donor programmes, and many development organisations tend to neglect migration. Hence the complaint (from migration organisations) that migration is often not included as a factor in development programming.

Conceptual challenges

Perhaps the most fundamental challenge to the current migration and development debates is a conceptual one. It is still the case that migration is widely associated with development failure. Hence, advances in development in an area (assessed through economic growth, political stability and improved services) are expected to reduce people's interest in leaving the space. However, as observers have noted for many years, the poorest of the poor are unable to move, but as people's incomes increase, so do their horizons and their capacity to migrate. Thus, we must expect migration to be associated with development. It could be argued in some circumstances that moving may be one of the most effective ways of achieving development progress (Pritchett 2006). If we take the idea of development as freedom (Sen 1999) seriously, it is possible to see the increase in a person's options for mobility (deciding to stay or go) as an intrinsic part of human development. Here, migration may equal development. This runs counter to the mainstream ideas of development that have shaped the industry – academia, policy and practice; these remain fundamentally sedentary. The world is divided into developing areas, developing countries, or people in developing countries and there is little room for taking account of transnational linkages, transnational lives, and transnational journeys that cross these boundaries.

Mobility – especially mobility beyond national borders or beyond the 'developing world' – is not part of this picture of development. The current conception of development appears ill-suited for what is likely to be a continuously mobile world (Bakewell 2008). Some have argued that we need to analyse the development of individuals (Clemens and Pritchett 2008). This seems inadequate, as development and change happen in societies and cannot be reduced to the aggregate of individuals. At the same time, it cannot be neatly bounded by national borders or divisions between developing and developed worlds. It has been noted that if a person of above-average income in a poor country moves to earn a higher but below-average income in a wealthier country, it produces a paradox: the individual is wealthier but the average income per head in both origin and destination fall.

Moving beyond these challenges
Reflecting on how such challenges have influenced the current state of migration and development offers some helpful pointers to potential ways forward. If, as argued above, one of the problems is the dominance of migration priorities in framing discussions on migration and development, a starting point may be to look at the broader implications of the relationship. In particular, it is important to move beyond the narrow intersection of migration and development as areas of public policy. Once there is a better understanding of the complex relationship between development and migration, the view can be narrowed to the strategic linkages between development and migration policies.

As a first step, perhaps we need to look more broadly at mobility – this encompasses a wider set of movements than (international) migration. Any substantive development progress will have implications for people's mobility, whatever our definition of development. Development will change the direction, the scale, the composition and the quality of mobility. It seems we understand far too little about the implications of development initiatives on mobility: whether it demands (or even forces) mobility – as labouring jobs are destroyed by mechanised agriculture so people have to search elsewhere for income; whether it enables mobility – as people gain new opportunities and seek fortunes elsewhere; or whether it inhibits movement. This suggests a way of 'mainstreaming' migration into development: mobility impact assessments, perhaps akin to environmental impact assessments, could become part of the routine planning process for development interventions.

This shifts the focus away from the impact of migration (often identified as a problematic process for states) and onto development, and highlights the impact of development on migration. Most of the programmes and initiatives discussed so far set out to make migration work for development, 'leveraging remittances for development', creating an environment in which migrants can contribute to development, and so forth. In practice, analysing the relationship between migration and development as if they were separate processes fails to recognise the complex nature of the relationship. Migration not only affects development, but it may sometimes be the embodiment of it: where people's enhanced freedom to choose their life-course enables them to move. At other times, migration may be an essential part of the development process, but inimical to people's desired future. This does not lend itself to the easy formulation of generalizable policy prescriptions, but a stronger analysis may ensure policies are based on more realistic models.

URBANISATION AND INTERNAL MIGRATION

Such an approach is also likely to move the focus away from the migratory routes which have been of such great concern in the wealthier parts of the world, in particular international migration and migration to the high-income countries of the OECD. As we have seen in China, development progress may be closely associated with high levels of internal migration, especially rural-urban migration. While this was a major theme of discussion in earlier rounds of the migration development question – for example in Latin America and Southern Africa – it has largely been ignored in the debates over the last twenty years. It is time to redress this balance.

There is some debate about the extent to which urbanisation is driven by rural-urban migration in different regions. For example, the geographer Deborah Potts (Potts 2009) suggests that most of the urban growth in sub-Saharan Africa can be attributed to natural growth (urban births exceeding deaths) and reclassification (widening areas defined as urban). Historically, there has been lots of research into the impact on society as people move to cities, with debates about changes in their cultural values and social practices. There has also been much concern about the role of cities as a transit point prior to international migration: the city as a stepping stone.

Recent work on mobility among market traders in Ghana and Nigeria highlighted the role of cities as gateways into global markets, as small traders travel to the Middle East and China to buy products (Bakewell and Jónsson 2011). Such businesses also stimulate the longer term migration of Ghanaians and Nigerians to act as agents and intermediaries in China – and there is a growing volume of research on Africans in China (and Chinese in Africa). Such global connections seem part and parcel of development, not just in the global cities.

We may see the city as a forge for migratory behaviour – it demands mobility beyond borders. The isolated city dies. This functional relationship between mobility, international migration and urban development needs further examination. Strategies for urban development must take account of this need for mobility. Increasing constraints on international movement may undermine sustainable urban development. Another side of the story is the role of the city as a place of attraction for the regions in which it is set. There is a need for a better understanding of regional migration hubs and the role of international migration in shaping the city.

Migration to developing countries
The impact of international migration between developing countries on social, economic and political change in those countries has been largely neglected until recently. These movements cannot be bundled together under the rubric of 'south-south migration': this is far too crude for analysis (Bakewell 2009). It seems more useful to explore different forms of migration such as: i) intra-regional migration; ii) movement to regional and global labour hubs; iii) movement associated with refugees and political instability; and iv) movement in historical migration 'corridors' that reflect long-standing relationships, such as migration in the lusophone world or the Chinese diasporic linkages.

Each of these 'forms' of migration introduces new challenges and opportunities for countries of destination in the developing world. A starting point for analysis would be to examine the different facets of the migration development linkages that have been identified for migration to wealthier regions – financial and social remittances, human resource transfer, and transnational linkages. We cannot assume that there is necessarily any essential difference nor imbue such migrations with less significance in their potential impact on development – remittances may flow in smaller volumes, but perhaps from more people reaching different groups.

CONCLUSION AND SOME POLICY DIRECTIONS

There has been a dramatic shift in thinking on migration and development in the last twenty years, but this paper has presented what may be seen as a rather pessimistic analysis of the progress made. Initiatives on migration and development have focused on some rather limited areas – remittances, human resources transfer and diasporic engagement – mostly concerned with migrants who have moved to wealthier regions of the world. For the most part, development actors have had limited engagement in such efforts and there are some indications that enthusiasm is waning among donors.

The existing migration and development programming could be much improved by more rigorous monitoring and evaluation, and the analysis of their impact on the well-being of people in developing countries. This immediately casts us back to the conceptual problems of who and where are the beneficiaries of this desired development? Such questions need to be addressed in each case. Ideally, such evaluations should be conducted by those who are not immersed in the migration and development industry.

Many recommendations on technical approaches to capturing remittances for development, reducing the brain drain and encouraging diaspora engagement in development have been suggested by others in the growing body of literature on how to do migration and development. There is no attempt to repeat these here. The discussion above suggests that more fundamental changes are required.

There needs to be a much more open analysis of the relationship between development and mobility. Donors need to recognise that migration is part of the context for development initiatives. With this in mind, it could be very valuable if development actors could consider more carefully the impact of their work on mobility, perhaps by introducing mobility impact assessments. In some contexts, this may mean seeing large numbers of people leaving an area after it has received an injection of development funding. Using migration as an indicator of development failure or success should be avoided unless it is consistent with the underlying theory of change. Introducing any migration impact assessment would be extremely unhelpful if it became a means of subsuming development under migration policy. For example, it is easy to envisage the scenario where a planned development intervention is rejected because it is projected to yield very positive outcomes but will be associated with changes in

mobility that run counter to the interests of donors. Likewise, a rather weak project in development terms that may support the migration interests of wealthy states may gain support.

This analysis of development and migration needs to move beyond the world of international migration and look more carefully at internal movements and migration within regions. In particular, as the majority of the world's population now live in cities, many of which have grown through migration, this seems a particularly important area to explore.

One of the problems for the migration and development field is the current dominance of migration actors. While they have attempted to grapple with the concept of development, they have tended to tinker on the edges with their limited sets of interventions. What is needed is for development actors to rise to the challenge of incorporating migration and mobility within their thinking.

The danger here is that migration, as a very hot political issue, will always dominate the discussion. Where the interests of migration and development conflict, the former is most likely to prevail (at least in European states). If this is the case, perhaps it would be better to be more explicit about the interests of the state. Put forward migration policy as is seen fit, but drop any suggestion that this is also development policy. Development interventions need to be planned and evaluated in relation their contribution to the improved well-being of people in the poorer regions of the world, not their contribution to better managed migration.

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REFERENCES

Agunias, Dovelyn Rannveig and Kathleen Newland. 2012. Developing a Road Map for Engaging Diasporas in Development: A Handbook for Policymakers and Practitioners in Home and Host Countries. Geneva; Washington D.C.: International Organization for Migration: Migration Policy Institute.

Appleyard, Reginald T. 1989. "Migration and Development: Myths and Reality." International Migration Review 23:486-499.

Bakewell, Oliver. 2008. "Keeping Them in Their Place: The ambivalent relationship between development and migration in Africa." Third World Quarterly 29:1341-1358.

—. 2009. "South-South Migration and Human Development: Reflections on African Experiences." United Nations Development Programme, New York.

Bakewell, Oliver and Gunvor Jónsson. 2011. "Migration, Mobility and the African City." International Migration Institute, Oxford.

Baldwin-Edwards, Martin. 2006. "'Between a rock & a hard place': North Africa as a region of emigration, immigration & transit migration." Review of African Political Economy 33:311 – 324.

Clemens, Michael. 2007. "Do visas kill? Health effects of African health professional emigration." Center for Global Development, Washington D.C.

Clemens, Michael A. and Lant Pritchett. 2008. "Income per Natural: Measuring Development for People Rather Than Places." Population and Development Review 34:395-434.

de Haan, A. 1999. "Livelihoods and poverty: The role of migration – A critical review of the migration literature." Journal Of Development Studies 36:1-47.
Docquier, Frederic, Olivier Lohest, and Abdeslam Marfouk. 2007. "Brain Drain in Developing Countries." World Bank Economic Review:193-218.

IOM. 2013a. International Dialogue on Migration No. 22 – Diaspora Ministerial Conference, Geneva (CICG), 18–19 June 2013. Geneva: International Organization for Migration.

—. 2013b. World Migration Report 2013: Migrant Well-being and Development. Geneva: International Organization for Migration.

Kapur, Devesh. 2004. "Remittances: The New Development Mantra?" United Nations Conference on Trade and Development, New York.

Levatino, Antonina and Antoine Pécoud. 2012. "Overcoming the Ethical Dilemmas of Skilled Migration? An Analysis of International Narratives on the "Brain Drain"." American Behavioral Scientist 56:1258-1276.

Levitt, Peggy. 1998. "Social Remittances: Migration Driven Local-Level Forms of Cultural Diffusion." International Migration Review 32:926-948.

Massey, Douglas S., Joaquín Arango, Graeme Hugo, Ali Kouaouci, Adela Pellegrino, and J. Edward Taylor. 1998. Worlds in motion: understanding international migration at the end of the millennium. Oxford: Clarendon Press.

Potts, Deborah. 2009. "The slowing of sub-Saharan Africa's urbanization: evidence and implications for urban livelihoods." Environment and Urbanization 21:253-259.

Pritchett, Lant. 2006. Let their people come: breaking the gridlock on international labor mobility. Washington, DC: Center for Global Development.
Raghuram, Parvati. 2009. "Caring about 'brain drain' migration in a postcolonial world." Geoforum 40:25-33.

Ratha, Dilip. 2003. "Workers' Remittances: An Important and Stable Source of External Development Finance." in Global Development Finance 2003. Washington DC: World Bank.

Sen, Amartya Kumar. 1999. Development as freedom. Oxford: Oxford University Press.

Skeldon, R. 1997. Migration and Development: a global perspective. London: Longman.

Skeldon, Ronald. 2008. "International Migration as a Tool in Development Policy: A Passing Phase?" Population and Development Review 34:1-18.

Sørensen, Ninna Nyberg, Nick Van Hear, and Poul Engberg-Pedersen. 2002. "The Migration-Development Nexus: Evidence and Policy Options State of the Art Review." International Migration 40:3-48.

Taylor, J. Edward, Joaquin Arango, Graeme Hugo, Ali Kouaouci, Douglas S. Massey, and Adela Pellegrino. 1996. "International Migration and Community Development." Population Index 62:397-418. Vammen, Ida Marie and Birgitte Mossin Brønden. 2012. "Donor-Country Responses to the Migration–Development Buzz: From Ambiguous Concepts to Ambitious Policies?" International Migration 50:26-42.

Vertovec, Steven and Robin Cohen. 1999. Migration, diasporas, and transnationalism. Cheltenham: Elgar.

The changes in the political landscape at the beginning of the 1990s formed the setting in which ICMPD was founded by Austria and Switzerland in 1993. These changes, as well as the increasing importance of global dimensions in migration governance and cooperation, are also reflected in the institutional development of ICMPD. 20 years after its foundation, the organisation has grown from a rather small one into a body with 15 member states and project offices throughout the world. Throughout these 20 years, ICMPD's main purpose has been to serve as a support mechanism for informal consultation and to provide evidence-based advice, expertise and services to its member states.

Reflecting its drive to contribute to forward-looking migration policy development, ICMPD decided to look to the future for its 20th anniversary project: 10 Observations on the Future of Migration – Costs, Benefits and Policy Responses. As the backbone of the anniversary celebrations, the project provides an initial impetus to take a step out from the daily routine of dealing with migration management, to take a broader look and reflect on what we know about migration in its various forms, how it was managed in the past and how it is managed today, how it might develop in the future and how we should react to changes and expected developments. Given that ICMPD is an organisation which strives for comprehensive, sustainable and forward-looking migration governance at the national, regional and international level, its 20th anniversary is a good opportunity to look back but also to look ahead: who will be the actors in the future and how will their roles change? What opportunities and challenges lie ahead? And last but not least: what should we do to make migration a positive reality for everyone involved?