

## **Policy trends in Migration: why migration should be central to public policy**

**Richard Lewis**

### **Migration trends in Europe**

There is a tendency amongst migration specialists to see their field as exceptional. Migrants are indeed people with their special issues. But, as a result a common error is to analyse migration in quasi isolation from the geo-political and social stresses to which our world is prone. It is therefore necessary to examine migration issues in the light of political events as well as in a human context.

This is not just human rights issue. It has to be born in mind that not only migrants (that is people who have moved from one part of the world to another) suffer integration problems so do many others at the bottom of the social spectrum. The essential point is that migrants have special issues but these issues are not necessarily unique to them. When addressing migrant integration, policy makers, for example, have to be cognizant of the social context of the general population.

In this light, this paper will address migration trends principally in Europe. However, similar issues and discourse can be observed in most areas of the industrialized world.

**Richard Lewis** - Senior Research Fellow at the Institute for European Studies Vrije UNiversiteit Brussel. Previously, he was Acting Head of Unit, Immigration and Asylum at the European Commission.

### **Geo-political issues**

A current example on the geo-political front is the crisis in the Ukraine. The conflicts that have arisen between those of Russian origin and those who consider themselves "true Ukrainians" stem from historical migrations either through conquest, annexation, economic opportunity or politically engineered population shifts. Arising from the Ukrainians's history, about 17% of the country's population consider themselves ethnic Russians. It is a deeply divided society that cannot make a categorical choice concerning its preference for the West or its adherence to roots in Russian society and culture (Lieven 2014)

However, as in the 1990's crisis and wars in the Western Balkans, it is not a simple equation of "Ukrainians" and "Russians". Families are mixed, some Russians speakers consider themselves true Ukrainians and territories are not, to use a somewhat unpleasant turn of phrase "ethnically pure".

How does this relate to current migration issues? The current discourse on migration is very pre-occupied with similar questions. If I am a migrant, where do I belong, where do my loyalties really lie? Can I continue to speak my own language in my community? How am I viewed in my host society if I continue to practice my religion or display my culture of origin? These integration preoccupations are repeated wherever we see large migration clusters in countries of immigration, for example, the Russians in Israel. There are many other examples that stem from geo-political circumstances and transfers of population whether historical or more contemporary: Northern Ireland in the 17<sup>th</sup> century still rumbles on; exchanges of population between the newly independent states of India and Pakistan in 1947; current displacements of population in Syria and northern Iraq.

The first conclusion, therefore, is that we should be paying much more attention to geo-political situations and historical background in the migration debate than hitherto. Of course, each example has different circumstances and not all are comparable. However, just by taking these random examples, we can observe that migration specialists seem to be more concerned with micro questions such as language tests, points systems and the like than in their observation of geo-politics. Preparation is better than hand-wringing. One could argue that academics and even politicians have little or no control over world events. One can counter this by saying that, like constitutional monarchs, they can be consulted and have a duty to encourage (or discourage) and warn. In the depths of foreign ministries and situation rooms, one might hope, but doubt, that analysis includes examination of the origins of the local population.

People are comfortable in an environment where their culture is respected. They can adapt to a host culture over time. But sometimes, as in the Ukraine, that time is long and painful. The historical and cultural background of a population feeds back into the integration questions where populations are mixed, namely the cultural comfort zone and political voice of minorities.

### **Polarization of the migration debate**

The second issue that is relevant to the migration debate is that it is a highly polarising political argument. The advocates of immigration maintain that immigration can fill skills' shortages and create economic growth. Those against immigration will declare with equal certainty that immigration puts a strain on social services and takes away jobs from the indigenous population. Immigration, in some European countries, is top of the list of political concerns and proved to be highly divisive in the run up to the European elections in May 2014. The rise of right wing parties for which immigration is the

bugbear exploits the fears that large scale immigration can inflame. The gains made by the right in the May elections bear witness to those fears.

Of course, the issues are much more subtle than both sides of the debate care to admit. Like all complex social questions there has to be a balance of benefit to the host society. Why is it that people resent immigration when there are jobs available that the local population are either unwilling or unable to do? This is a topic in its own right and reflects the concerns that people have when they see that their societies are changing in their lifetime in what they perceive to be threatening ways. The discourse on immigration has to address these concerns. They cannot just be dismissed for the sake of convenience.

### **Current immigration discourse in Europe**

Europe is facing many of the same challenges on immigration that beset other industrialized parts of the world – the need for highly skilled people, the negative dependency ratio due to an ageing population, the need to face up to growing intolerance of “the other” in its midst.

Europe needs talent. There is undoubtedly a global race for talent which Europe is not in a strong position to win partly because it has no clear, coherent continent-wide policy on economic migration (Munz 2014). In spite of the “Blue Card” scheme, mobility within Europe is poor and there are political moves to make the EU wide freedom of movement more restrictive. If the Conservative Party in the UK wins the election due in May 2015, they are committed to a referendum on Britain remaining in the EU. Top of the agenda will be immigration from other EU countries and the UK, whatever the result of the vote, will press for restrictions on free movement of persons. This is one of the founding principles of the Union and any such moves will be fiercely resisted. In the short run, Munz argues that Europe needs more labour mobility between EU Member States given the high unemployment in some and the shortages of skills in others. However, he notes that there are three problems: achieving political majorities in favour of a proactive migration policy, making Europe more attractive to both internal and external migrants and moving away from unilateral policies. There is still evidence that, while migration to Europe remains strong, it is decreasing with uneven reductions between the Member States (OECD 2011)

Europe has an ageing population and an increasing dependency ratio. In Japan, Russia and South Korea the domestic labour force is contracting and the same will happen in Europe. Within ten years Japan and Western Europe will have the oldest populations in the world. According the UN’s Population Division (United Nations 2013) there are around 600 million people in the world over the age of 65; this figure will almost double to 1,1 billion. The economist Amlan Roy also forecasts that a smaller workforce will reduce GDP; in the case of Germany this could be as much as half a point. Migration could allay longer term labour demand but cannot be considered a panacea because it will bring in its wake issues of integration and political resistance (Rand Corporation 2013) Changes in population structure have implications for growth, labour markets and above all welfare systems. It will certainly affect migrants in the short and medium terms. Whilst a smaller population does not necessarily lead to a less successful society – witness the Scandinavian model – there is no doubt that the growing dependency ratio and the potential for GDP reduction are factors which need to be considered.

Growing intolerance. Europe faces the contradiction that, whilst there is a strong case for immigration on condition that the social effects on other sections of the population are addressed, there is growing intolerance that will also have knock-on effects on other vulnerable sections of the population (Rubin 2014) The Fundamental Rights Agency of the EU reports strong evidence of growth in negative attitudes to immigrants and incidence of racial discrimination in spite of the fact that all EU Member States are members of the International Convention on the Elimination of Racial Discrimination dedicated to the prevention and eradication of the phenomenon. Often racism is clothed in cherished liberal language such as the right to free speech that is a particularly pernicious manifestation of the phenomenon (European Network Against Racism 2013)

Migrants are frequently the victims and sometimes the perpetrators of discrimination. The most persistent and frequent victims in Europe are the Roma. Gurr (1993) highlights the Roma as having a high birth rate, poor public health and high illiteracy, the latter perpetuating the first two through the generations. The situation of the Roma is *par excellence* an example of existing vulnerable groups being swept up in the negative discourse about immigration. They are not the only people affected by the phenomenon. It tends to have implications for other minorities at the bottom of the social scale such as the Caribbean population in the UK or Muslims in France even though they may be the second or third generation families.

France is a particular case in point. Whilst there is some evidence that France is a somewhat more racist society than other European countries, there is a growing discourse, especially in the United States, that it is grossly so. Aside from the fact that social surveys on this topic are notoriously inaccurate because of the taboo nature of racism, France, with its strong republican rights of man, (sic) one nation traditions derived from the French Revolution and enshrined in the 1905 constitution, makes strenuous efforts to defend minority rights and publishes an annual "state of the nation" report on the issue. The presence of a substantial Muslim population in France originating in its colonial past, has presented challenges spilling over into the international political debate on the Middle East. This is certainly not a welcome development either in France or elsewhere.

The criminalization of irregular migrants. Societies that welcome immigrants face another dilemma that is not easily resolved. Nation states have every interest in deciding who should be admitted to their territory and who should not. Those who enter without authorization or by fraud or who overstay visas should, under this doctrine, be expelled. However, on closer examination, this is a more complex situation than at first sight. The treatment of asylum seekers, for example whose claims prove to be unfounded is particularly fraught because of the confusion in the minds of the public regarding the nature of the concept of asylum and its negative connotations in public discourse in spite of the fact that it is essentially a humanitarian instrument. In the overall consideration of sovereignty over border control one can expect that in the future, there will be increasing irregular migration and legal and human rights challenges to be met.

### **Internationalization of migration**

There is a realization that migration is a phenomenon that cannot only be treated by nation-states or by reference simply to the control of immigration. Initiatives such as The High Level Development on International Migration and the EU's Global Approach to Migration bear witness to the complexity of the topic and the recognition that migration needs to be mainstreamed into international thinking. (European Commission 2008)

In the past, much of the reflection on the internationalization of migration has been centred on development especially as a means of combating perceived excessive or politically unacceptable immigration. This is on the assumption that development of poorer countries would sooner or later transform their standard of living that would in turn morph into a slackening of demand to emigrate. Whilst there is perhaps some substance to that notion, current discourse is more concerned with fitting migration issues into the effects of globalization (Newland 2011) This places the debate at a higher level than just remittances or brain drain.

Whilst there is no shortage of ideas on how to manage international migration, there is most definitely insufficient international action. What steps have been taken are mostly in relation to South-North migration whereas the reality is that of the 230 million migrants in the world, 82,3 million were born in the South and live in the South, slightly more than the 81,9 million born in the South and living in the North (Dumont and Lemaître 2005). There is therefore a need in the EU to stop navel gazing and concentrate more on the outside world. To use a current expression, there should and must be more "joined-up" thinking rather than the isolation of different issues. Where these ideas should coalesce is a moot point but the obvious place would be the United Nations and its sister organization the International Organization for Migration (IOM). A good place to start might be to re-visit the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

adopted by General Assembly resolution 45/158 of 18 December 1990, none of the 47 signatories of which are receiving states. This in effect means that it is a dead letter. Would it not be better to consider a revision that would be more widely accepted?

### **Is it possible to manage migration?**

The Tampere European Council in October 1999 (European Council 1999) outlined four guiding principles for EU migration policy: partnership with countries of origin; management of migration flows, fair treatment of third country nationals and a common European asylum system. Of these four principles, the first two are germane to a discussion on trends in the field of migration. There has been progress on the fair treatment of third country nationals and a common European asylum system, but for the purposes of this discussion, it is important to address the issue of whether it is possible to "manage" migration flows and to consider how the progress towards cooperation with sending countries is perhaps a pointer to the future.

In the European geographical and historical context it is clearly more difficult to manage migratory flows than in Canada, the United States or Australia. The geographical proximity of North Africa and the land borders between Greece and Turkey have made it difficult to police both legal and irregular migrants, often with tragic loss of life, as has been witnessed in the Mediterranean. None of these English speaking democracies have the same colonial legacy as many European countries, having

been colonized themselves. This historical legacy is an interesting case in point because it can work both for and against the potential migrant. It has an undoubted impact on both migratory flows and integration strategies. On the positive side, for example, the migrant from the ex-colony has a good chance of arriving with a knowledge of the language and culture; on the negative, the migrant from a former colony may arrive with the notion and local perception that he or she is somehow inferior because of the former relationship between colonizer and colonized.

What are the ways in which migration can be “managed” and what is really meant by this term? What politicians usually mean by “managing” is in reality “controlling”. This is legitimate in the sense that totally uncontrolled migration where people are free to move as they wish is neither politically realistic nor practical. We cannot return to the days of Renaissance Europe. So “managing” means limiting numbers in both the interests of the potential migrants themselves and receiving states so as neither to deceive migrants into thinking that the golden door awaits them nor overwhelming areas of inner cities with people who need language training, schools, hospitals and so on. This latter scenario delivers policy into the hands of the anti-immigration lobby that is all too present in Europe. As always with the anti-immigration lobby, uncontrolled immigration is seized upon and burnished with half-truths. This is why the UK Independence Party the French National front and the Dutch PVV have been playing the anti-EU free movement card.

There are essentially two ways in which migration can be managed, first before arrival and secondly after arrival. Governments can and do encourage immigrants with investment potential or who bring needed skills. They use points systems or incentive schemes to do this. There are managed schemes for seasonal workers. There is humanitarian immigration which is conducted on an internationally agreed rules based system. Last but certainly not least there is the family re-unification issue which is arguably the most contested of all and has led to some harsh decisions.

After arrival, there are, of course, schemes to advise and assist newcomers both run by government or more usually by non-governmental organizations under contract to the government. However, these are often ineffective and neither satisfy migrants nor the host society. A more effective and probably grass-roots organization of pre and post-arrival information, courses and above all language training is essential. Israel provides a fine example of integration techniques especially in the field of language training. However, Israel cannot be used as a universal model because the mind-set of Diaspora immigrants was and perhaps still is very different from that of European immigrants. Whilst it is true that certain sections of Israel’s population came simply to better their lives, it is combined (at least in the earlier immigrations) with a desire to build a Jewish state. There is no such ideological incentive in Europe.

In addition, one should not forget the “punishment” method of migration management mainly to deter irregular migration. Prevention of irregular migration is obviously more attractive to states than detection and expulsion (Peers 2006). Thus instruments such as carrier sanctions and the obligation to return irregular migrants and passenger data requirements can have a deterrent effect. Less effective are sanctions on employers who hire illegal labour which has been tried in the United States and largely failed.

Whilst all of the above can be termed “managing migration”, the degree of success can only be judged by the controversy that surrounds the immigration debate in Europe. Immigration may be tolerated in certain sections of the population but in others it is highly contested. The negative

discourse is framed by citing overall numbers that have risen although they remain well within the capabilities of absorption. The OECD weighted average of foreign born in Europe is 7.8%; 4.5% of the European population still bears foreign nationality. The problem is that certain groups, notably Muslims, are highly visible especially in inner cities. This can create tensions and adverse comment in the popular media and imagination.

A much more promising avenue of migration management is that of **co-operation with the sending countries** which has already gained credence in the EU and other developed parts of the world such as at the US-Mexico border. The European Union has in place Readmission Agreements and Mobility Partnerships with a growing number of sending states. With regard to the **Re-admission agreements**, (Panizzon 2012) they are generally accepted as being a fair tool for return of illegal migrants either to their home country or to a safe third country. The Treaty of Amsterdam conferred shared competencies between the EU and the Member States to conclude these agreements. To date fourteen have been signed and the Council has granted negotiating mandates for others.

The latest and potentially the most important was signed with Turkey in December 2013. These agreements coupled with migration cooperation clauses in Association Agreements reinforce customary international law that obliges states to re-admit their own nationals. There is equally an obligation on the receiving Member States of the EU either to return illegal immigrants or to grant them legal status. This is advantageous to the individuals concerned in that it does not leave them in legal limbo. In turn these instruments provide for an entry ban throughout the EU which limits the use of detention and establishes minimum safeguards for detainees.

The negotiation of **Mobility Partnerships** (Weiner 2012) which have been part of the EU's policy toolkit since 2007 are arguably the most promising instruments to date regarding the management of migration since they are based on a cooperative effort between source countries and the EU. Signatories to date include a number of countries on the eastern border of the EU (Moldova, Georgia, Armenia, Azerbaijan) and Africa (Morocco and Tunisia, Cape Verde). The concept is that signatory countries seek better legal access for their citizens (including for students and businessmen) and in return pledge to help control illegal migration. Partners undertake joint projects to facilitate these objectives.

The effectiveness of these agreements has been questioned not least by organizations in the sending partner states, as was stated by the Tunisian General Labour Union (Tunisian General Labour Union and the Fédération Internationale des Droits de l'Homme 2014):

"Although the Partnership (with Tunisia) ostensibly aims at 'promoting mobility', it has few concrete opportunities for mobility and access to the territory of the EU. It offers only half-hearted commitments to promote legal avenues to access to the European territory, mainly facilitation of short-term visas for the most privileged and/or qualified persons. There is no reference to the issue of family reunification, despite its relevance to families on both sides of the Mediterranean.

The European University Institute echoes this sentiment in a paper published by the Migration Policy Centre (Weiner 2012):

"Until now it is quite clear that Mobility Partnerships (MPs) have focused only on a few aspects of the European Commission's concept of legal migration and mobility, namely: prevention of illegal migration and border governance. Less attention has been paid to economic migration, portability of rights or skills recognition. Other issues as family reunification or integration in the destination countries have been largely disregarded. Unfortunately the majority of the EU Member States involved in the MPs have

not been generous enough to propose real change under this umbrella; instead, many decided to offer already existing legal migration bilateral schemes as their contribution to legal migration part of MPs.”

It is certainly true that Mobility Partnerships have the potential to be lop-sided in favour of the EU's control of illegal migration. Nevertheless as a concept, they represent the beginnings of a cooperative method to address migration management. As such, these agreements, Re-admission Agreements and ad hoc arrangements such as the placement of immigration liaison officers at strategic points abroad should be regarded as more systematic attempts to manage migration as a cooperative effort. This is in contrast with past practice where migration flows of all kinds have often been dealt with as crisis management.

There is an important conclusion to be drawn from this review. Migration is too important and complex to be left simply to chance and, even less, to continue to allow migrants to drown in large numbers in the Mediterranean and suffocate to death in containers exposed to the sun. The way forward is to find better and more affective, fair and mutually beneficial ways for sending and receiving states to cooperate.

## References

- Dumont J-C, Lemaître G 2005 *Counting Immigrants and Expatriates* OECD Paris  
<http://www.oecd.org/migration/mig/33868740.pdf>
- European Commission 2008 *Strengthening the Global Approach to Migration* European Commission MEMO/08/613 Brussels  
[https://ec.europa.eu/europeaid/strengthening-global-approach-migration-increasing-coordination-coherence-and-synergies-com2008-611\\_en](https://ec.europa.eu/europeaid/strengthening-global-approach-migration-increasing-coordination-coherence-and-synergies-com2008-611_en)
- European Council Conclusions of 16<sup>th</sup> October 1999 Nr 200/99
- European Network Against Racism 2013 *Recycling Hatred : Racism in Europe Today*  
cms.horus.be/files/99935:MediaArchive/publishers/SymposiumReport\_LR final.pdf
- Gurr T.R 1993 *Minorities at Risk* US Institute of Peace Washington DC
- International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families Adopted by the UN General Assembly 18<sup>th</sup> December 1990
- Lieven A April 2014 *Ukraine should be a bridge not a battleground* Prospect magazine pp 36  
<http://www.prospectmagazine.co.uk/author/anatol-lieven-2>
- Munz R 2014 *The Global Race for Talent* Brueghel Brussels  
<http://www.bruegel.org/publications/publication-detail/publication/819-the-global-race-for-talent-europes-migration-challenge/>
- Newland K 2011 *Migration and Development Policy. What have we learned?* Migration Policy Institute Washington DC <http://www.migrationpolicy.org/research/migration-and-development-policy-what-have-we-learned>
- OECD 2011 *International Migration Outlook*
- Panizzon M 2012 *Readmission Agreements of EU Member States: A case for EU Subsidiarity or Dualism?* Working Paper No 20123/35 Swiss National Centre of Competence in Research
- Peers S 2006 *Justice and Home Affairs Law* Oxford University Press Oxford



Rand Corporation 2013 *An analysis of Global Societal Trends to 2030 and Their Impact on the EU*  
<http://www.rand.org/randeurope/about/news/2013/global-societal-trends-eu.html>

Rubin Jennifer et al 2014 *Intolerance in Western Europe* Rand Cambridge  
<http://www.rand.org/randeurope/research/projects/intolerance-western-europe.html>  
<http://www.rand.org/randeurope/research/projects/intolerance-western-europe.html>

Tunisian General Labour Union, FIDH et al Declaration of March 17<sup>th</sup> 2014  
*Migration and Mobility* [http://www.fidh.org/IMG/article\\_PDF/article\\_a14960.pdf](http://www.fidh.org/IMG/article_PDF/article_a14960.pdf)

United Nations Population Division 2013

Weiner Agnieszka 2012 *Mobility Partnerships – What impact do they have on legal migration and mobility?* Migration Policy Centre European University Institute Florence  
<http://blogs.eui.eu/migrationpolicycentre/mobility-partnerships-what-impact-do-they-have-on-legal-migration-and-mobility/>