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IMPROVING US AND EU IMMIGRATION SYSTEMS

The Development Challenges and the European Union

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**Improving EU and US Immigration Systems' Capacity for Responding to Global
Challenges: Learning from experiences**

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Background paper
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The Development Challenges and the European Union

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Improving EU and US Immigration Systems' Capacity for Responding to Global Challenges: Learning from experiences

The project is co-funded by the European Commission in the framework of the Pilot Projects on “Transatlantic Methods for Handling Global Challenges in the European Union and United States”. The project is directed at the Migration Policy Center (MPC – Robert Schuman Centre for Advanced Studies – European University Institute, Florence) by Philippe Fargues, director of the MPC, and Demetrios Papademetriou president of the Migration Policy Institute (MPI) the partner institution.

The rationale for this project is to identify the ways in which EU and US immigration systems can be substantially improved in order to address the major challenges policymakers face on both sides of the Atlantic, both in the context of the current economic crisis, and in the longer term.

Ultimately, it is expected that the project will contribute to a more evidence-based and thoughtful approach to immigration policy on both sides of the Atlantic, and improve policymakers’ understanding of the opportunities for and benefits of more effective Transatlantic cooperation on migration issues.

The project is mainly a comparative project focusing on 8 different challenges that policymakers face on both sides of the Atlantic: employment, social cohesion, development, demographic, security, economic growth and prosperity, and human rights.

For each of these challenges two different researches will be prepared: one dealing with the US, and the other concerning the EU. Besides these major challenges some specific case studies will be also tackled (for example, the analysis of specific migratory corridor, the integration process faced by specific community in the EU and in the US, the issue of crime among migrants etc.).

Against this background, the project will critically address policy responses to the economic crisis and to the longer-term challenges identified. Recommendations on what can and should be done to improve the policy response to short-, medium- and long term challenges will follow from the research. This will include an assessment of the impact of what has been done, and the likely impact of what can be done.

Results of the above activities are made available for public consultation through the websites of the project:

- <http://www.eui.eu/Projects/TransatlanticProject/Home.aspx/>
- <http://www.migrationpolicy.org/immigrationsystems/>

For more information:

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Abstract

High-level policy interest in the European Union dates to the late 1990s and has entered a new stage since 2005. This more recent approach moves away from purely instrumentalist concern with development as a way of pursuing goals of migration control, evident in earlier policies. The continued poor quality of data inhibits effective evaluation of this new approach, though it is clear that budgets allocated by EU Member States and the Commission are still relatively small compared to ODA, private remittance flows and especially migration control. Policy retains a focus on remittance flows; this is understandable since data is best, tangible outcomes are clearest and measurable targets have been set. Yet broader concerns are reflected in some recent approaches and the paper highlights a range of best practice examples. These examples illustrate the change in content of policy, particularly responses to developing technologies and the inclusion of a variety of non-state actors. As data improves, more accurate evaluations of all of these initiatives will be possible, but a continual focus on the accuracy and availability of that data is required to support this.

1. Introduction

Migration and development now describes a vast industry. Major political events such as the Global Forum on Migration and Development demonstrate its appeal to national governments, private organisations and civil society alike.¹ Yet this high profile is a very recent development and despite the great wealth of information on the subject, practical policy experience is far more limited. The extent of global interconnections in policy and research on these issues makes it difficult to focus on any particular area but to the extent that it is possible, this paper considers the European responses to the challenges raised by linking migration and development. It makes no attempt to repeat the array of comprehensive reviews of migration and development theory, but concentrates on the more limited policy interpretations and applications.

It is however, difficult to avoid at least some consideration of the more theoretical treatments of migration and development. Academic investigations of the relationship between migration and development have a long history. In Europe, early research considered the relationship between ‘temporary’ workers who arrived in the 1960s and 1970s and their countries of origin (eg Trébous 1970). Many of these academic studies have focused explicitly on policy, often sponsored by International organisations.²

Migration and development achieved its current status in the policy arena very recently, a fact that it is easy to overlook given its current profile. The Millennium Development Goals of September 2000 were famously silent on the question of migration, though research published since then has argued that migration can support most of the eight goals (eg Usher 2005). Similarly the Brussels plan of action for less developed countries for the decade 2001-2010, makes no mention of migration (UN 2001), migration does not appear in the Ministerial Conclusions of the fourth Doha ‘development’ round of WTO talks (WTO 2001) and is absent from UNDP’s Human Development Reports until 2000 (UNDP 2000). In Europe, the impacts of migration on migrants’ countries of origin only began to receive high-level political attention at the end of the 1990s.

National governments in Europe have traditionally understood migration as a phenomenon to be controlled. Migration control has been focused on the state’s territory and connections with migrants’ countries of origin have been limited. Early policy applications of development in relation to migration were typically related to control objectives, such as the *aide au retour* policies which formed the basis of codevelopment in the 1970s.

The recent focus on the migration and development agenda is associated with a conceptual shift in understandings of migration from something to be controlled or prevented to something to be managed for wider benefits (Skeldon 2008). There is now greater consensus that it is possible to manage migration in ways that increase its potential developmental impact. Policy in this field is becoming more innovative and broadening its scope to include a range of actors beyond national governments.

Policy experience of migration and development is expanding fast at all levels of government in Europe and within the private and civil society sectors. Yet as policy continues to develop new challenges emerge; conflict with policy in related areas, such as migration control or trade; coherence between different levels of decision making, particularly between national and supra-national

¹ The theme of the 2008 Global Forum on Migration and Development (GFMD) in Manila was ‘Protecting and empowering migrants for development’. It was the best attended GFMD to date: 1,130 delegates represented 163 UN Member States and Observers, 33 international organisation and a further 220 civil society participants (<http://www.gfmd.org/en/gfmd-meetings/manila-gfmd-2008.html>).

² For example, studies by the International Labour Organisation (ILO), OECD, UN High Commissioner for Refugees (UNHCR) (the International Conference for the Assistance of Refugees in Africa (ICARA) in 1981 and 1984 produced much discussion of ‘root cause’ approaches) or the International Organization for Migration (IOM)

government structures and the rapidly changing context with which policy must contend, particularly the recent financial crisis.

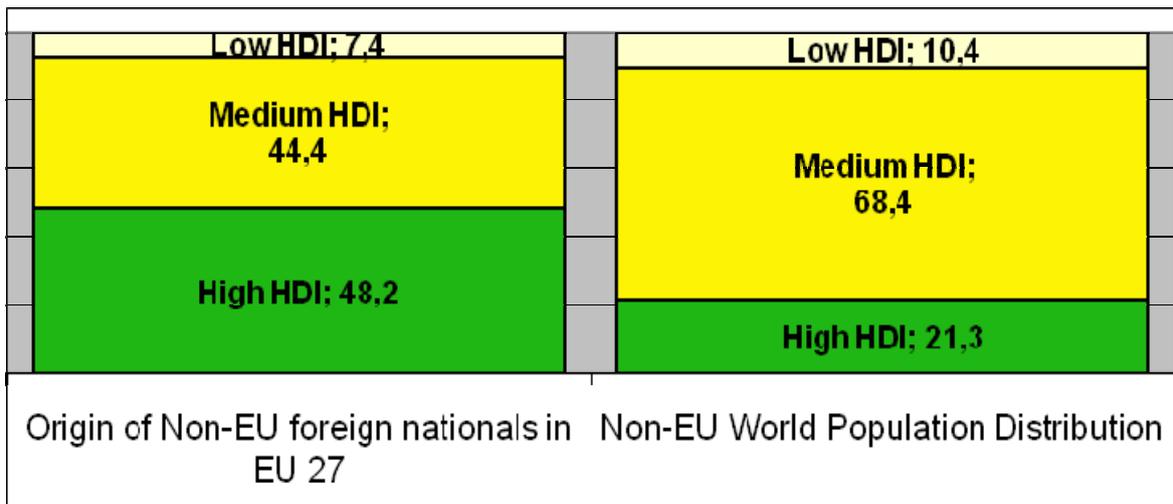
This paper summarises the European policy experience of migration and development. The paper first examines the current situation in Europe, followed by the patterns of institutional and policy development before turning to the current policy environment and finally considering likely future orientations.

2. State of play

2.1 Migration to the European Union

On January 1st 2009 there were 31.9 million individuals in the EU who were not citizens of their country of residence, 6.4% of the total EU population. Overall 20 million, or 4% of the EU's total population of just under 500 million, were from outside the EU. This data does not include the approximately 5.5 million individuals born outside the EU who have acquired the nationality of a member state since 2001 and are now counted as EU nationals. Information on the foreign born population is not complete but they are generally considered to be more numerous than foreign nationals. The 20 million foreign nationals in the European Union come disproportionately from countries with a higher Human Development Index (Fig. 1).³

Figure 1. Origin of non-EU foreign nationals resident in EU27 on January 1st 2009 by Human Development Index (HDI) of country of origin, compared to world population by HDI



Source: Eurostat (2010a)

The last year for which flow data is available from Eurostat is 2006. In that year, 3.5 million people arrived in a new country of residence in the EU; 1.8 million of them were not citizens of the EU. Africa, Asia, Americas and non-EU Europe accounted for approximately equal shares of between 400,000 and 450,000 with a much smaller share from Oceania. Overall, there were slightly more men than women amongst non-EU migrants to the EU in 2006 (a ratio of 114 men to 100 women) though this varied between Member States.⁴

Eurostat does not produce data on the skill levels, immigration status or type of migration of those arriving and the limited data produced by national governments is not comparable. Two points can be

³ Data from this paragraph is from Eurostat (2010a).

⁴ Data from this paragraph is from Eurostat (2008).

made with certainty, however. First, the number of international students arriving in the EU, the one category that is relatively consistent across Member States, is increasing rapidly, doubling for the OECD as a whole between 2000 and 2007 according to the OECD's System d'Observation Permanent des Migrations (SOPEMI). Second, the visa category of any individual migrant is a relatively poor indicator of the kind of work they will actually be doing. A study for the UK border agency published in October 2010 found that of a sample of 1,184 holders of the 'Tier 1' visa, reserved for highly skilled employment in the UK, only 25 percent actually held highly skilled positions, whereas 29 percent were working in unskilled occupations; the status of the remaining 46 percent was unclear (UKBA 2010).⁵ There is no comparable data available for other EU Member States, though assessments of 'brain waste' in the US suggest significant differentials between migrants of different national origins (Ozden 2006).

2.2 Data and Conceptual Issues

Inadequate data is a widely recognised obstacle to migration and development policy. Even the most comprehensive data sets have problems. The Docquier, Lowell and Marfouk (2007) estimates are differentiated by gender and skill levels, though they only cover OECD countries. The Global Migrant Origin Database is more comprehensive, but it relies on census data, currently from the 2000 census round and is consequently out of date (DRC 2008).

The final report of the Commission on International Migration Data for Development Research and Policy cites 'The nonexistence or inaccessibility of detailed, comparable, disaggregated data on migrant stocks and flows' as 'the greatest obstacle to the formulation of evidence based policies to maximise the benefits of migration for economic development around the world.' (2009: 5). In Europe the THESIM project (Towards Harmonised European Statistics on International Migration) has catalogued the inconsistencies between data collection methods in different EU Member States (Poulain et al 2006). Improving data is an important precursor to effective policy evaluation.

Better data is not simply a question of coordinated data collection, but a harmonisation of conceptual approaches. There is not even agreement on the basic definitions of migration or development, which clearly hampers international policy coordination in this area. Practices vary between EU Member States, on whether to count foreign nationals or foreign-born populations as stocks of migrants.

There are similar divergences in understandings of development. Eurostat follows UNDP in defining least developed countries as those with an HDI between 0 and 0.499 (23 countries in the 2009 ranking), rather than by those where GNI per capita is less than \$995, as the World Bank does (40 countries in the 2009 ranking). A better measure would be the composite definition of UN-OHRLS which combines both these indicators with an economic vulnerability criterion, classifying 49 countries as 'least developed' in 2009.

Conceptual uncertainty extends to the relationship between migration and development. It is widely argued that migration is an essential element of development (eg Skeldon 1997) so the separation arises from a misunderstanding of development. This is the basis of the 'migration hump' thesis (Martin and Taylor 1996), which hypothesises that migration initially increases with development before starting to fall. It is also reflected in the term 'migration development nexus' (Van Hear and Sorenson 2003). The European Union's Global Approach to Migration keeps the term 'migration and development' as the third element of 'partnership with countries of origin and transit.'

The greatest focus of attention in research and policy approaches to migration and development has usually been remittances, particularly formal remittance transfers, which can be measured and, to a

⁵ This compares with a UKBA study published a year earlier which found that 70% of 1,286 Tier 1 visa holders sampled were engaged in skilled work, 20% unskilled and 10% were not working (Hanson et al 2009)

degree, managed. This remains the case and the most recent expression of the Global Approach (CEC 2008) includes detailed objectives on financial regulation to increase transparency and consumer protection. Yet, though remittances continue to form the most tangible evidence of the impact of migration on development, European policy approaches now recognise and encourage a wide range of other links. The following sub-section considers data on formal remittance flows and the final sub-section summarises the current consensus on links beyond remittances.

2.3 Formal remittance flows

Data on remittances has faced similar challenges to data on migration patterns. As recently as 2006, an IOM publication referred to the measurement of official remittances as a ‘baffling exercise’ (Ghosh 2006: 11). Difficulties arise from the source of IMF data, which is all reported by central banks. Central banks have different ways of recording remittances (Adams 2006), which made lead to problems in comparison or overlaps with other financial flows such as tourism receipts, there may be confusion between the categories ‘workers’ remittances’ and ‘compensation of employees’. Most significantly remittance data only includes financial flows thorough official channels, which does not reflect the true scale of transfers.

Table 1. Remittance flows from and within EU related to workers remittances and compensation of employees, 2004-2009 (€billions)

	2004	2005	2006	2007	2008	2009
Total workers remittances	19.4	23.7	28.4	31.3	31.8	29.6
Intra-EU flows	7.9	10.2	11.6	11.3	9.3	8.1
Extra-EU flows	11.5	13.4	16.8	20.0	22.5	21.5
Total Compensation of Employees	30.5	33.8	36.2	39.2	42.4	41.6
Intra-EU flows	24.8	27.5	30.0	32.4	35.0	34.9
Extra-EU flows	5.8	6.3	6.2	6.8	7.5	6.8

Source: Eurostat (2010b)

Nevertheless, data on remittances has improved more rapidly than data on migration. The substantial publicity that reporting problems has attracted has increased awareness of these problems and helped to improve reporting methods amongst Central Banks. Indeed, it is likely that part of the spectacular rise in global remittances in recent years may be explained by more accurate reporting.

In Europe, Eurostat only began collecting and disseminating information on remittances in 2004, though data is not complete or always comparable (Eurostat 2010b). Eurostat considers ‘workers remittances’ as transfers from relatively long term residents from outside the EU. It presents them separately from ‘compensation of employees, which relates to transfers from mostly temporary, cross border migrants from states neighbouring the EU.

Total workers remittances increased by 53 percent from 2004 to 2009. Extra-EU flows were responsible for most of this increase. In contrast, compensation of employees was more significantly related to financial flows within the EU. The most significant remittance channel outside the EU was from Italy to China, a flow of some €1.5 billion in 2008. Spain was responsible for the most significant total outflows from the EU; flows to Colombia, Ecuador and Bolivia were all in the top ten most significant remittance corridors, though actual amounts are not public.

Within the EU Romania was the most significant receiver of remittances, benefiting from €2.2 billion from Italy and €1.6 billion from Spain in 2008. The most significant overall remittance corridors related to compensation of employees within the EU. In 2008, €3.4 billion was transferred from Luxembourg to France, €2.6 billion from Germany to Poland and €2.1 billion from Luxembourg to Belgium. No least developed country, by either per capita income or HDI, received sufficient levels of remittances to be included in the detailed data and the geography of remittance flows at this level is not available from the World Bank or IMF.

Formal remittance flows are generally considered to be positive for development. In 2007, remittances represented four percent of the overall GDP of the 49 countries classified as least developed by UN-OHRLLS, rising to 20 percent for countries such as Nepal and Haiti (UN-OHRLLS 2010). This is a vital resource, yet it represented barely eight percent of global remittance transfers in that year. At least from the perspective of formal remittances, it does seem that remittances benefit medium level developed countries disproportionately. The disproportionate representation of migrants from wealthier countries in the EU offers a partial explanation of this trend.

Recent advances in data have allowed greater attention to role of gender in the migration, development, remittances relationship. It is widely appreciated that migration alters gender roles and that male and female migrants occupy different sectors of the labour market, at least in unskilled and semi-skilled labour. Recent research sponsored by INSTRAW into gender, remittances and development has argued for a refocus of migration and development debates in more human development concerns which identify the broader consequences of market changes (INSTRAW 2007).

Despite the undeniably positive impact of remittances at the micro and macro economic level in recipient countries, current research cautions against the identification of migrants' remittances as a panacea for development. As the indications above suggest, they disproportionately benefit middle income countries and those remittances to least developed countries are not thought to reach the poorest members of society (de Haas 2005). They are also sent at considerable cost to the often low paid workers in wealthy countries who send them (Datta et al 2006)

2.4 Current Consensus on Impact of Migration on Development

The growing frequency of international discussions around migration and development in a variety of contexts is resulting in a shared language to discuss these issues. Even if there is still substantial disagreement on the likely effects of particular policy changes, or in the interpretation of many impacts as either positive or negative for development, the areas of disagreement are pretty well set out.

Remittances are private flows, motivated by migrants' desire to support friends and family. They will typically be sent by the most efficient means possible and in many countries this involves a variety of informal transfer systems, such as carrying money back directly, sending it with friends or using unofficial commercial money transfer systems. Such systems may incur lower fees, result in a favourable exchange rate, avoid potentially costly taxation or bypass official systems suspected of being corrupt. Yet if migrants use official channels, transfers will not only be easier to count but also have a positive impact on the macro-economic situation of the recipient country, so substantial efforts are devoted to encouraging migrants to use official banking systems.

There is no reliable data on non-official financial transfers but least developed countries are likely to receive a more substantial proportion of remittances through informal channels than wealthier countries, due to inadequately developed banking systems. In February 2010 the UK's International Development Minister said that about one third of remittances from the UK go through informal channels (Migrant Remittances Newsletter April 2010). Official remittances from the UK in 2006 were just over \$4.5 billion (World Bank 2008), suggesting that informal remittances are about \$2.2 billion a year from the UK alone. Efforts to encourage migrants to use official banking channels focus on improving banking systems in least developed countries and reducing fees of official transfer

organisations from the current average of ten percent to a five percent average. Projects to allow money transfer by mobile phone, allowing individuals outside the banking system to transfer money through official channels are also increasingly popular.

Non-economic transfers are even harder to quantify than non-formal economic transfers but it is clear that they also have the potential to make a significant contribution to development in three substantial areas. First, transfers may take the form of consumer goods, such as fridges, televisions or cars, which improve standards of living without increasing imports. Second, they may include 'social remittances', through which new ideas conveyed by migrants have a broader impact on behaviour patterns; for example, there is evidence that migrants from countries with high birth rates to countries with low birth rates may impact the entire demographic pattern in their countries of origin (Fargues 2006). Thirdly, skills transfers may occur when migrants return definitively, through temporary returns of skilled emigrants or increasingly remotely. UNDP's TOKEN and IOM's MIDA programmes have sponsored such periods of return since the 1970s and 1980s respectively. It may be supported by national governments and forms an element of the Pravasi Bharatiya Divas, held annually since 2003 by the Ministry of Overseas Indian Affairs. It may also be organised at a local level, such as village associations in Morocco who arrange special consultations by emigrant doctors from the village during annual village association festivals (Charfi 2009).

Such skilled return programmes raise the question of the initial impacts of skilled migration and broader initiatives to engage diasporas. On the first question, theoretical discussions of 'brain gain' at the end of the 1990s (eg Stark et al 1997) examined a number of potential net benefits of skilled emigration, such as increasing the value of education. Empirical tests of this are much rarer and 'brain gain' arguments have had very little impact on long standing policy concerns of 'brain drain', particularly in small countries (Schiff 2005).

Box 1. Key findings of The Development Research Centre on Migration, Globalization and Poverty

The Migration DRC was based at the University of Sussex with eight partners in the UK, Albania, Bangladesh, Egypt and Ghana. It was funded by the UK Department for International Development (DFID) from 2003 to 2009. Over this time it was one of the best-funded interdisciplinary research centres on migration and development anywhere in the world. The Migration DRC's Key Findings document (DRC 2009) presents a clear overview of the six years of research; it contains detailed evidence for the points summarised below:

1. Poor people are more likely to move over shorter distances, either within or between poor countries.
2. The movement of children and young people, often without their parents, is an important aspect of mobility for poor communities.
3. Education and training play a major role in the migration decisions of children and poor people.
4. Liberalising the mobility of people should lead to global welfare benefits.
5. Where poor people have greater choice in terms of migration destinations, the net effect on inequality is more likely to be positive.
6. Access to formal social protection for migrants is highly patchy.
7. Skilled migration is largely a symptom, not a cause, of underdevelopment.
8. Migration can both exacerbate the impact of existing gendered roles and bring about significant changes in gender norms.
9. Diaspora engagement can contribute to the development of countries of origin.
10. Policy development on migration remains fragmentary and there is lack of consensus on what pro-poor migration policies should look like.

Summarised from *Making Migration Work for Development: Key Findings* (October 2009).

There is also concern that the situation for some countries has deteriorated⁶ and as with other areas of migration and development better data is needed (Ahmad 2005). The UK Department of Health introduced a code of practice on international recruitment in 2001, in response to significant increases in recruitment from poor countries,⁷ but this only prevented active, not passive, recruitment (Buchan and Dovlo 2004).

Yet current data is confused on this issue. Other European countries, such as Norway, recruit a far smaller proportion of nurses from poor countries (Buchan et al 2003). The Migration DRC found that skilled migration was a symptom rather than a cause of underdevelopment (see Box 1). For these reasons the option of restricting movement of skilled personnel is widely rejected and the less loaded term 'skill flow' has been suggested (Clemens 2009). Given the conflicting findings and the uncertainty of causal correlations in this matter, skilled migration was considered as neutral, rather than negative, in the most recent Commitment to Development Index (Roodman 2009).

Diaspora engagement is not a new phenomenon in the migration and development policy field. Schemes such as TOKTEN or MIDA have encouraged return of skilled professionals for some time and 'diaspora bonds' have been used successfully by Israel since 1951 and more recently by India (Ketkar and Ratha 2007). Yet the spread of a more comprehensive 'diaspora policy', which sets out not simply to harness diaspora loyalties but actively foster or cultivate them is much more recent

⁶ In 1999 387 nurses left Ghana, by 2001 this had increased to 2,972 (Ahmad 2005).

⁷ From 1991 to 2001 international recruitment of nurses increase from less than 10% of total recruitment to more than 50% (Buchan and Dovlo 2004).

development. There are various initiatives from countries of origin that involve extending benefits to long term emigrants and members of their families to establish a coherent system of management (Gamlen 2008). Such policies may involve rights to visa free entry for family members, property ownership, tax and investment privileges or voting rights, which is an increasingly common tendency (Collyer and Vathi 2007). Although such practices are widespread there is currently no data on their impact on enhancing diaspora engagement policies.

One of the most recent developments in the field of migration and development is an explicit focus on migrants' rights. This has been a key claim of the NGO community for some time, but it has been increasingly clearly acknowledged at various GFMDs and is reflected in the background documents for the Mexico GFMD (eg GFMD 2010). The migration and development agenda is continuing to evolve, deepening in key areas, such as remittances, but also expanding to include new themes.

3. Institutional and Policy Background

3.1 Evolution of European Institutional and Policy Approach

In the European context the origins of interest in the relationship between migration and development can be traced to a number of policy related research projects in the 1960s and 1970s focused particularly on countries of origin of guestworkers.⁸ Most of these early studies suggested that financial transfers from migrants funded consumption more than investment and interest in the potential of the migration development nexus remained limited. In any case, it was widely expected that migration to Europe would cease with the ending of labour migration in the early 1970s and by the late 1970s interest in the topic had become focused on an instrumentalist understanding in the form of *aide au retour* policies, which mostly brought disappointing results.⁹

In the 1980s and 1990s migration controls gradually became more extensive in Europe and policy studies of migration became more common. However, national governments paid little attention to its development potential, other through an interest in reducing migration by addressing its 'root causes', which equated to a fairly simplistic 'more development for less migration' approach (Pastore 2003). There were plenty of important studies on migration and development in the European context in the 1980s and 1990s¹⁰ but beyond a limited and mostly instrumentalist concern, policy interest remained limited.

High level, intergovernmental interest in migration and development at EU level can be traced to the end of 1998 when the European Council set up the High Level Working Group on Asylum and Migration (HLWG). The HLWG was initially tasked to write a series of reports on the EU's relations with six key countries of origin. These were presented at the Tampere European Council in 1999 and led to the inclusion of the objective of 'partnership with countries of origin' in the final conclusions, which shaped the EU's migration and asylum agenda for the following five years. The timing of the the introduction of migration and development into official EU policy is a result of the extension of

⁸ These include the ILO's 'Migration for Employment' studies, several OECD sponsored studies of countries around the Mediterranean (eg Trebous 1970, on Algeria) and national programmes such as the Dutch government's REMPLD (Reintegration of Emigrant Manpower and Promotion of Local Opportunities for Development) studies in Morocco, Tunisia and Turkey.

⁹ In 1977 Lionel Stoleru, secretary of state with responsibility for the conditions of manual workers, created a 'prime de retour' of 10,000 Francs (known as 'Stoleru's million' since this was a million old francs) yet only 60,000 people took it up over the next four years, including only 2,400 Algerians who were assumed to be the priority. Despite this lack of success the incoming socialist government reinstated the 'prime' at a higher value.

¹⁰ Appleyard, R. (1989), Skeldon, R. (1997), NIDI Push and Pull Factors of International Migration (1994-2000)

legal competencies of the European Commission¹¹ but it also a precursor to more significant consideration of these issues in national and eventually local governments.

Despite the ambitions of the Tampere programme, the following five years were occupied with passing the first round of harmonised legislation in the field of migration and asylum (Collyer 2004) and with preparing the 2004 Enlargement, which focused attention on Eastern Europe. The six Action Plans of the HLWG were initially greeted with disappointment by most of the countries to which they were destined and it seemed that the notion of ‘partnership’ had been more rhetoric than reality. For all these reasons, developing partnerships with countries of origin ended up receiving a lower priority during the Tampere programme than initially intended.

The first Communication from the Commission on Migration and Development was published in 2002.¹² The first section on ‘migration and development’ provided a short theoretical overview, which discusses the ‘migration hump’, considers possible policy orientations, focused on remittances and highly skilled migration and then considers policies in place, which lists migration components in the various regional programmes operated by the Commission. Almost without exception these involve support and training for measures to prevent illegal migration. This impression was reinforced by section two of the report, on effectiveness of resources available for repatriation of immigrants and rejected asylum seekers. This Communication marks a compromise between the earlier, purely instrumentalist focus on development as a tool for migration control and a new opening to more development focused approaches.

The Hague Programme (2005-2010) repeated the aim of achieving partnership with countries of origin and transit, though this developed much more significantly during this period. At a Global level, there was a significant intensification of discussions around migration and development from 2005 onwards.¹³ At European level, the Aeneas programme provided direct funding to initiatives focusing on partnership with third countries.¹⁴

A further Communication on Migration and Development, published in September¹⁵, demonstrated a much more sophisticated command of the literature than the 2002 Communication and discussed a number of practical, innovative ideas. This appears to mark the point at which the EU began to take migration and development seriously. The Global Approach to Migration, first outlined in December 2005, covers the external aspect of EU asylum and migration policy. It has three sections: legal migration, illegal migration and migration and development.

From 2006 onwards migration and development has formed the theme of a range of meetings between the EU and various regional processes, particularly with the EuroMediterranean partner countries, the African Union, the ACP and a further grouping of African states that was initiated through a migration and development conference in Rabat in 2006 (Collyer 2008). It is hard to imagine that this intensity of high level meetings can be maintained. Indeed the pace of meetings slowed with the onset of the economic crisis.

¹¹ The Amsterdam Treaty, which entered into force in 1999, enabled the Commission to initiate legislation in certain areas of justice and home affairs, including migration and asylum.

¹² COM(2002) 703 final, Communication from the Commission to the Council and the European Parliament Integrating Migration Issues in the European Union’s Relations with Third Countries

¹³ The final report of the Global Commission on International Migration (GCIM 2005) stimulated the Brussels meeting in 2006, which evolved into the Global Forum on Migration and Development.

¹⁴ The Aeneas programme was due to run from 2004 to 2008 but was curtailed in 2006 by which time it had disbursed approximately €120 million. Of the 106 projects listed in the Aeneas programme evaluation (EuropeAid 2007), ‘Migration and development’ is one of 8 sub-categories. 11 projects were classified as M&D receiving €13.6 million.

¹⁵ COM (2005) 390 final ‘Migration and Development: some concrete orientations’

The most recent overview of the entire EU programme in home affairs was presented in the Stockholm Programme (CEU 2009), which reemphasises the EU's commitment to 'solidarity' in international migration, in the context of the Global Approach. It calls for the Commission to submit 'proposals' on 1. Enhancing remittances; 2. Supporting diaspora groups and 3. Facilitating circular migration, before 2012. This appears to indicate a significant change from the previous focus on Communications in relation to migration and development towards binding legislation, presumably in the shape of Directives.

The economic crisis and the most recent wave of national elections in Europe which have brought right wing and even extreme right wing parties into government have resulted in a reassertion of the control agenda in many Member States. The impact of the crisis on migration and development indicators at the global level has been very mixed, rather than universally negative (Skeldon 2010). In Europe recovery is also geographically uneven; some sectors in which migrants are commonly employed are emerging relatively strongly from the crisis (such as construction in the UK or Germany) although other European national economies remain in recession.

The impact on areas of origin is not yet clear. Some EU countries, notably Poland are actively encouraging migrants to return to contribute to buoyant economic growth and the government of the Czech Republic is offering migrants €500 to come home (Skeldon 2010). Increasing unemployment amongst migrants elsewhere, such as Spain, is not immediately translating into return and despite an estimated 400,000 unemployed migrants, just over 8,000 opted for voluntary assisted return under the Voluntary Return Plan.

The impact of large scale return on many countries of origin could be potentially severe so it is positive that this only seems to be happening in large numbers to countries, such as Poland, where economic conditions are better, rather than worse, than in destination countries. Remittance patterns have been similarly mixed, without even clear regional patterns being apparent. In the first two quarters of 2010, the Philippines, Morocco, Bangladesh, Honduras and El Salvador returned to pre-crisis remittance levels. In others, such as Kenya, Guatemala and the Dominican Republic remittances were still declining (*Migrant Remittances* October 2010).

The Commission is due to publish a third Communication on Migration and Development in March 2011. Early indications are that it will be clearly focused on a small number of themes and more policy orientated than previous communications. The remainder of this section considers particular policy orientations that have developed over this period.

3.2 Development in migration policies

It is much harder to identify clear changes in migration policy that have arisen from migration and development ideas than it is to highlight changes to development policies that result from the same issues. In the European experience, it is much more common for development to have been used instrumentally in pursuit of goals of managed migration (see eg. Verhaeghe 2009).

The most recent Human Development Report (UNDP 2009) cites restrictions to mobility as a significant impediment to development and the Migration DRC at the University of Sussex found that liberalising movement for poor people would have positive welfare implications at a global level (DRC 2009). In Europe, the general trend of the past twenty years has been progressive migration restriction and this seems to have increased recently as governments, such as the UK, put caps on non-European immigration.

Improving conditions in migrants' countries of origin entered the European policy scene in the 1970s as a way of preventing further migration, a 'more development for less migration' approach. The idea soon adapted to return policies as a way of encouraging unemployed migrants to return to their country of origin. The original aide au retour schemes simply provided money as a financial incentive to leave, with no concern or investigation of how that money was spent.

These ideas have resurfaced in Assisted Voluntary Return Schemes, which form part of the migration policy of most EU Member States. Yet this focus on financial payments simply as an incentive to leave and not return has shifted. Where policies target legally resident migrants it is increasingly common for governments to present the payment in terms of a return of what migrants are owed for the contributions they have made. Spain's Voluntary Return Plan, initiated in 2008 and still operational, follows this more dignified framing. The return payment migrants receive is calculated using the pension contributions they have accrued.

Return schemes targeting illegally resident migrants or failed asylum seekers, such as the UK's Voluntary Assisted Return and Reintegration Programme (VARRP) emphasise the sustainability of return (Black and Gent 2004) even involving training programmes on business skills once migrants have returned to their country of origin. These schemes do not attract very large numbers of migrants; examples of AVR programmes that return more than a few thousand people a year are very rare, suggesting that most migrants are not willing to exchange their continued (legal or illegal) residence for money.

The European Pact on Immigration and Asylum of 2008 begins by stating that 'International migration is a reality that will persist as long as there are differentials of wealth and development between the various regions of the world.' (CEU 2008: 2). This suggests a continued misunderstanding of the motivations for migration; inequality and underdevelopment are undoubtedly important drivers of migration but, as the Commission recognised in its 2002 Communication, development can also lead to migration. Migrants also have a range of other aspirations that suggest migration will continue even in the absence of significant inequalities, as it does within the European Union. The pact also reinforces the instrumentalist tendency of the migration and development agenda by discussing its ambition to 'address the organisation of legal migration and the control of illegal immigration as ways of encouraging the synergy between migration and development' (CEU 2008: 2)

Despite the overall instrumentalist approach in development's incorporation into migration policy, there are examples of migration policies shaped with their development impact in mind. Attempts to address problems arising from recruitment of skilled workers, particularly in the medical field at least reveal an awareness of the problem, though a viable way round it has yet to be identified. Secondly, before the financial crisis there was substantial interest in new temporary labour migration schemes, which were widely cited as potentially beneficial to all involved. There are various things that governments may be able to do to increase the development impacts of these schemes, such as encourage regular circulation, return social security contributions to migrants and guarantee a fixed number of places to allow accurate planning (Collyer 2004).

3.3 Migration in development policies

It is much more common for migration to receive substantial consideration in development policy than for development goals to be reflected in migration policy. Nevertheless, migration is still not as integrated in development thinking as might be expected. Neither the 2005 Paris Declaration on Aid Effectiveness (OECD 2005) nor the 2008 Accra Agenda for Action (OECD 2008) make any mention of migration. A recent review of migration in Poverty Reduction Strategy Papers (PRSP) published since 1999 found that the impact of migration on poverty reduction was inadequately analysed or entirely absent, though the situation was improving in later PRSPs (Black and Sward 2009).

In most areas the rising profile of migration in development dates only from about 2005 so practical policy experience remains very limited. Many of the changes since then have involved improvements in data collection, more accurate information and pilot projects as a precursor to new policy interventions. For example, the 2006 European Consensus on Development calls for the inclusion of migration in all country strategy papers (CEC 2006). The fact that only a few years ago the impact of migration on development was largely ignored and it is now broadly recognised is in itself an important development and is likely to herald future change, though only a few areas illustrate such changes at present.

The most obvious example of widespread practical changes is in relation to remittances, which continue to dominate the migration and development field. This can be explained in two ways. First, since their importance was first recognised at a high level, in the World Bank's Global Development Finance report in 2003 (Ratha 2003), there has been widespread agreement that remittances are positive, which with the exception of calls to account for the situation of predominantly low paid workers (Datta et al 2006) is universally accepted. Second, remittances can be measured relatively easily and targets can be set, such as the aim to reduce the average fees on remittances from ten percent to five percent within five years, which is echoed in a wide variety of European policy documents.

Civil society initiatives have typically led the way in Europe. Home town or village associations working for the development of their home area have a long history, but they have usually worked without state support (Lacroix et al 2010). In 2005, only 1.1 percent of France's €8.9 billion aid budget was channelled through NGOs (PRA-OSIM 2006); efforts are being made to address this through the Support Programme for Migrant Solidarity Organisations (PRA-OSIM) which offers grants to such organisations (PRA-OSIM 2006). In 2007, the French government recognised the dual role of integration support and international development performed by many migrant solidarity organisations with the creation of the Ministry of Immigration, Integration, National Identity and Co-development.¹⁶ European wide programmes such as AENEAS (2004-2006), its replacement¹⁷ (2007 - 2013) and the Joint Migration and Development Initiative (2008 onwards) have also channelled increasingly substantial sums of money to civil society organisations.¹⁸

Yet development policy also has a more instrumentalist side, despite this generally more positive approach. This was most famously in evidence in the Seville European Council in 2002, when the UK and Spain suggested making aid conditional on cooperation on readmission. These suggestions are partially reflected in the conclusions (CEU 2002 paragraphs 34-36), but not fully supported.¹⁹

The Cotonou agreement, signed in 2000 between the EU and the African Caribbean and Pacific States (ACP), provides a particular example of this continued tension (Higazi 2005). The most recent revision of this agreement raised significant disagreement around changes to article 13 where the EU wanted to replace the earlier framework for bilateral discussion on readmission with a readmission agreement (Concord 2010). This was rejected by ACP states since it effectively makes the aid provisions of the agreement conditional on readmission, a position that had been rejected in Seville. The final agreement, signed in June 2010 in Ouagadougou, omits article 13 entirely and calls for continued discussion on a framework closely linked to the Global Approach (CEU 2010). It is presumably hoped that the ACP Observatory on Migration, funded by the EU and launched in October 2010, will contribute to resolving this impasse.

3.4 Are remittances replacing development?

Official remittance flows are substantially larger than Overseas Development Assistance (ODA). There is some concern that remittances should not replace ODA, though it is very difficult to find any evidence to either support or deny such a contention. Even at a national level the type of comparative, time series data on the comparative geography of remittance flows and development aid that would be required to identify any pattern of reduced aid to countries that receive a large remittance income, is simply unavailable. Across the EU as a whole the calculation could not be done.

¹⁶ The creation of this ministry was controversial for the link between immigration and national identity, which some on the left rejected. Since 2008 'Codéveloppement' has been replaced by 'Développement Solidaire' in the Ministry's title.

¹⁷ COM (2006) 26 final Thematic programme for the cooperation with third countries in the areas of migration and asylum

¹⁸ None of these schemes is specifically for civil society. Government departments, research institutions and international organisations have also benefited significantly.

¹⁹ Paragraph 36 of the conclusions (CEU 2002) states that the Council may find that 'a third country has shown an unjustified lack of cooperation in the joint management of migration flows' in which case the Council may adopt 'measures or positions' under the relevant EU policies 'but not jeopardising development cooperation objectives'.

The potential dangers of viewing remittances as a replacement for aid are now widely acknowledged (de Haas 2005; Solidar 2007). As already noted, middle-income countries are the dominant remittance receivers from Europe and it is possible that some European ministries already consider them as lower priorities for assistance. Remittances do not go in large amounts to the poorest countries, but they also do not go to the poorest people in those countries so there is no basis for suggesting that one might be an effective replacement for the other.

The possibility that development funds are being diverted to migration control appears to be equally worrying as the possibility that remittances are replacing development funding. There is also rather more grounds for concern. The possibility was first raised in response to the Commission's 2002 Communication (Statewatch 2003). Since then, the Commission has been more vigilant about maintaining a clear separation between migration management goals and development goals, as is evident in the Global Approach. Yet there are still occasions when slippage occurs; the 2005 Communication reports on assisted return programmes, though there is very limited evidence that development is either the objective or the result of such programmes (CEC 2005: 12).

3.5 European policy communities

The most obvious example of a European Migration and Development community is the Joint Migration and Development Initiative (JMDI), a €15 million, three-year programme jointly sponsored by the European Commission and UNDP, with four further agencies involved: UNHCR, UNFPA, ILO and IOM. The programme focuses on involving civil society organisations and local authorities in the migration debate that has usually involved national and international organisations. It has a particular focus on 16 countries.²⁰ It has supported 55 projects with an average grant of €180,000, beginning towards the end of 2009. It also produces substantial new research reports (eg JMDI 2010). JMDI also involves an online community of practice, 'Migration4Development', organising virtual discussions and fairs of migration and development projects.

There are no other examples of such high profile initiatives on migration and development that cut across sectors so effectively. Other policy communities are focused on related areas, and include NGO umbrella groups, such as CONCORD, the European NGO Confederation for Relief and Development, which comments regularly on migration and development or Business for Social Responsibility, a confederation of 250 large businesses that has conducted work on migrant rights in business (BSR 2008). In other areas particular communities have developed around remittances, such as MirPal, the Migration and Remittances Peer Assisted Learning network, established by the World Bank's Europe and Central Asia office, which currently focuses on the CIS countries.

4. Policy: Best Practice and Current Trends

This section turns to precise examples of migration and development policy. There is now a vast array of programmes, including at least 100 projects financed by the European Commission alone since 2004. Evaluations for most of this work are not available so the following best practice section takes a selection of well established projects and particularly innovative new pilot initiatives. Following sub-sections consider the current trend in integrated projects, such as mobility partnerships and finally the section turns to recent applications of co-development, particularly in France.

²⁰ Morocco, Tunisia, Algeria, Egypt, Cape Verde, Nigeria, Ghana, Mali, Senegal, Ethiopia, Ecuador, Jamaica, Georgia, Moldova, Sri Lanka and the Philippines.

4.1 Best practice examples

There are now a huge range of projects underway in the field of migration and development. The Aeneas programme funded 11 projects classified as ‘migration and development’ from 2004 onwards and the JDMI funded a further 55. Details of projects funded under the Thematic programme that replaced Aeneas are not yet available but it is sure to comprise several million more euros of funding. There are also a number of national funding systems operating in EU Member States, such as the Priority Solidarity Funds for Co-development (FSP), which have existed since 2002 in France or the new DFID programme to support diaspora organisations in the UK. This sub-section considers six contrasting examples of successful projects or innovative pilots.

Codevelopment project, France-Mali: the first and most widely cited of the FSPs, signed in 2002.²¹ Between 2003 and 2007, 36 development projects initiated by Malian migrants living in France had been financed with a total amount of €1.6 million. The project also financed 300 ‘re-insertion projects’ providing support for voluntary return. Overall this involved the creation of an estimated 1,800 jobs over a five year period (Besson 2008).

*Plasepri: Plateforme d’appui au secteur prive et a la valorisation de la diaspora Senegalaise en Italie*²²: A joint initiative of the Italian and Senegalese national governments, initiated in 2009. It is led by the Senegalese Ministry of Economy and Finance and the micro-finance section in the Italian Ministry of the Family, National Solidarity, Women’s Entrepreneurship and Microfinance. It provides €20 million credit to small and medium enterprises in Senegal over three years and a further €3.7 million in direct grant aid for technical assistance. Its overall aim is to mobilise the Senegalese diaspora in Italy.

AFFORD: African Foundation for Development: One of the largest and best established umbrella organisation offering advice, support and advocacy for African diaspora groups in the UK, founded in 1994. The organisation’s focus is on supporting Small and Medium sized Enterprises in Africa and highlighting diaspora contributions. It works through a range of projects, including Supporting Entrepreneurs and Enterprise Development in Africa (SEEDA) and an annual, high profile African Diaspora and Development day in London.²³

M-Pesa, Mobile Remittances: There has been increasing interest in the possibilities of sending remittances by mobile phone. This reflects the fact that most poor migrants travel short distances and many do not have access to bank accounts. M-Pesa is a private company that has developed remittance transfers by mobile phone between the UK and Kenya. It began in 2007 and by July 2010 had over 11 million registered customers. M-Pesa linked with the Kenyan Bank, Equity Bank, in May 2010 resulting in M-Kesho, allowing remittances sent by phone to be withdrawn at an ATM.²⁴

Festival du Safran, Migrations et Developpement: The French-Moroccan NGO *Migrations et Developpement* was founded in 1986 and has a long history of supporting micro development projects at village level in Southern Morocco (Daoud 2004). One of their principle recent initiatives is working with safran farmers in Taroudant province. The 3rd Safran Festival was organised in the village of Taliouine in November 2009. This included a four day Forum de l’Economie Sociale et Solidaire which brought together local agricultural producers, local and national government figures and international development actors.²⁵

²¹ Details available at http://www.ilo.org/dyn/migpractice/migmmain.showPractice?p_lang=en&p_practice_id=4

²² Embassy of Senegal (2009) and Migrant Remittances Newsletter 6(3) p4 (August 2009)

²³ details at <http://www.afford-uk.org>

²⁴ details at <http://www.mpesauk.co.uk/index.html>

²⁵ La Lettre de Migrations & Developpement 14, April 2010

Municipality of Cartaya, Spain: integrated management of seasonal migration: A circular migration project to recruit seasonal workers, particularly from Kenitra and Nador in the province of Casablanca to work in Cartaya, in Huelva province. Workers from previous years are given preferential access to employment in following years. The total value of the project was €1.5 million and it received funding from Aeneas between 2005 and 2008 but had continued through the 2010 season. It is also a model of good practice selected by JDMI to illustrate the importance of developing connections between local regions.

4.2 Integrated approaches to migration management

An important recent trend in the EU's management of migration is to negotiate with individual countries of origin on the basis of an entire package of measures, including readmission agreements, but also temporary migration schemes facilitated temporary visa entry. Mobility Partnerships, as they are known, arose from the EU-Africa meeting in Rabat in 2006. Moldova and Cape Verde were selected as pilot countries in 2008 (CEC 2008) and Georgia was added in November 2009.

This approach is influenced by an awareness of the increasing strategic significance of countries such as Morocco for Europe's migration policy. This strategic importance places these countries in a much stronger negotiating position in relation to the EU (Cassarino 2009). Mobility partnerships are frequently described by the Commission as innovative models, and appear to mark the direction of future migration negotiations. However, a detailed analysis of the Moldovan partnership raises concerns about the broader applicability (Parkes 2009). Parkes argues that the partnerships respond more to strategic pressures of migration routes, than to strategic objectives of the European Neighbourhood Policy.

The second relevant innovation associated with the recent, more comprehensive approach of the Commission is Cooperation platforms on migration and development which also appeared for the first time in the Global Approach. Cooperation platforms bring together actors from one or more countries along a specific migration route. Only one platform exists to date, signed with Ethiopia in 2007.

4.3 Co-development

Policies of co-development are associated particularly with France. The term is usually traced to a conference in Leuven in 1985, focusing on the ways of involving countries in receipt of development aid in the process of identifying aid priorities. Its association with migration was established in a report by Sami Naïr (1997) for the French government. According to Naïr, co-development

‘goes beyond development to establish common objectives. The shared interest of France and the countries of origin is to ensure that immigration is a vector of development, because that signifies the stabilisation of migration flows in their country of origin and the guarantee of integration in France’ (Naïr 1997: 3).

This broad understanding of co-development has driven the broad orientation of the French government to the subject, emphasising it sufficiently to include it in the label of a ministry in 2007. It has had some impact in other Member States in Europe, most significantly Spain and Italy, though not at all in the UK. Since the Global Approach it has begun to appear in EU documents on migration and development.

This conception is widely criticised. It is often associated specifically with measures to encourage return and, though Naïr was keen to emphasise that return was only relevant if it was what migrants wanted, assisted voluntary return measures remain a central element of both French and wider European approaches. Stephen Castles equates co-development simply with the link between development and return measures and is actively hostile, referring to ‘the fallacies of wall-building, *co-developpement* and so on’ (2008: 7).

A second common critique is that, despite the rising political priority of co-development, even in France, it accounts for a tiny proportion of total budgets. Between 2008 and 2010, the first three years of operation of the new ministry, co-development was equal to less than five percent of the budget of the French Ministry of Immigration and under one percent of French ODA (Khoudour-Castéras 2009). It is also small in relation to remittances. French spending on co-development in Mali amounted to €2.6 million in 2003-05 compared to €200 million sent annually by the Malian diaspora in France (Black and Sward 2009).²⁶

These critiques should be interpreted not as related purely at the French practice of co-development. The French ambition and statistical approach, simply allows an easier analysis than in other Member States, or in the EU as a whole. Potential criticisms of instrumentalisation of development, and of the significance of co-development initiatives may face the broader application of co-development and is a charge that any attempt to broaden its application will have to resist.

5. Lessons learned and looking forward

5.1 Summary and review

European approaches to migration and development have entered a new stage since 2005. They have developed beyond the almost purely instrumentalist approach that was evident in the 2002 Communication to involve migrant organisations and local authorities. This is most clearly reflected in the JDMI.

Although the European Council continues to prioritise migration management objectives, the growing strategic influence of certain countries of origin is reflected in the Mobility Partnership approach and the continued salience of the EU-Africa dialogues on migration and development, initiated in Rabat. This suggests that migration and development discussions may start to become less asymmetrical and fulfil the more obvious priorities of sending states.

The content as well as the form of migration and development discussions has changed. The traditional areas of focus on remittances and the brain drain have been the subject of the first genuine policy responses, on recruitment of skilled migrants, particularly in the health sector, and on efforts to publicise and reduce remittance transfer costs. As the focus of migration and development broadens to encompass diaspora policy, circular migration and migrants rights, policy strategies need to develop accordingly.

Technology is also altering the context in which migrants operate and innovations such as mobile remittance transfers have a clear potential to benefit poor migrants. Efforts need to be made to ensure that regulation does not hamper these positive developments.

The range of best practice examples highlighted in the paper reveal the benefits of the experience of organisations such as AFFORD or Migrations et Développement who have been working in this area for several decades already, but also the potential for new innovation through new approaches, involving local authorities, new technologies, such as M-Pesa and new policy approaches, such as the Priority Solidarity Funds.

As data improves, more accurate evaluations of all of these initiatives will be possible, but a continual focus on the accuracy and availability of that data is required to support this.

²⁶ These are all slightly unfair, as it is the priority given to co-development in France that gives it its own budget line and allows these comparisons. Such analysis is not possible in any other EU Member State

5.2 New initiatives

Activity in the field of migration and development remains extremely intense. Remittance data is increasingly widely available and analysis of this information is one way of assessing the impact of particular policies. Remittances are watched closely to provide a clearer picture of the differentiated impact of the recession. Since 2008 the World Bank project Remittance Prices Worldwide provides data on transfer costs, in an effort to reduce these in line with the 5% in 5 years initiative. The International Migrant Remittances Observatory (IMRO) was established in 2007, based in Cotonou and has gradually developed an influence on new policy initiatives. IMRO was involved in the launch of the World Diaspora Fund in May 2010, which will provide financial support to diaspora development projects in the form of small loans.

Yet there is sufficient focus on other aspects of the migration and development relationship to ensure that the financial focus of remittances will not dominate the agenda. The launch of the ACP Observatory in October 2010 introduces a welcome focus on the priorities of sending states in terms of new research in this area.

The Commission's upcoming Communication on Migration and Development, programmed for March 2011, seems set to establish concerns beyond remittances, brain drain and diasporas which have produced the most substantial policy developments to date. Its draft title is 'Migration for Development' which perhaps suggests a further distancing from the more instrumentalist approach to migration and development that has seen development used as a tool for migration management.²⁷ Perhaps most significantly, the Communication is likely to set the scene for the first binding European legislation in Migration and Development and will therefore introduce an important new stage to European policy in these areas.

²⁷ The initial outline for the Migration for Development Communication is available online http://ec.europa.eu/governance/impact/planned_ia/docs/400_dev_migration_development_en.pdf (accessed 1.11.10)

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