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Can temporary migration solve Europe's labour crisis?

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Summary

Temporary migration can benefit both 'receiving' countries, because of its flexibility and the resultant economic growth, and 'source' countries, because of the consequent reduction in domestic unemployment and the remittances sent home by workers. This was one of the key messages to emerge from a Dialogue hosted by the EPC and KBF in collaboration with the Global Commission on International Migration. But speakers agreed that much more needed to be done to ensure respect for, and the protection of, temporary migrants' rights and to integrate them into their host countries. Length of stay should not be the determining factor.

The European Policy Centre and the King Baudouin Foundation, in cooperation with the Global Commission on International Migration (GCIM), hosted a Dialogue on *Can temporary migration solve Europe's labour crisis?* Keynote speeches by **Joris Demmink**, GCIM Commissioner and Secretary General of the Netherlands Ministry of Justice, and **Ambassador Reda Shehata**, GCIM Commissioner and Foreign Policy Advisor to the Kingdom of Bahrain, were followed by three panel debates. Question and answer sessions followed. The meeting was chaired by the EPC's Chief Policy Analyst **Antonio Missiroli** and **Khalid Koser**, Senior Policy Analyst for GCIM. This is not an official record of the proceedings and specific remarks are not necessarily attributable.

Antonio Missiroli opened the meeting by noting that the Dialogue with the Global Commission on International Migration (GCIM) on the role of economic – and specifically temporary – migration in Europe was particularly timely in light of the European Commission's White Paper on economic migration, expected by the end of the year. Co-chair **Khalid Koser** said the call for carefully designed Temporary Migration Programmes (TMPs) was just one of 33 recommendations made by the **GCIM**, but had been the most controversial and talked-about element of its report on *Migration in an interconnected world: New directions for action*.

Keynote speeches

Joris Demmink, GCIM Commissioner and Secretary General of the Netherlands Ministry of Justice, said the Global Commission based its recommendations around six basic principles for action: economic migration, migration and development, irregular migration, integration, human rights and the governance of migration. The Migrant Workers Convention had been the most controversial issue and, in the absence of agreement on a recommendation on ratification, the report instead adopted "lawyers' language", calling on states to strengthen the legal and normative framework for international migrants.

The Global Commission reported a lack of coherence with respect to migration governance at all levels - national, regional and international. It was clear there was no appetite for a new world migration organisation, so GCIM had recommended the creation of a Global Migration Facility, based on the model of the UN's Global Environment Facility, which would strengthen the



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current Geneva ‘tea party’ of migration organisations and draw in other important international players such as the World Bank. The Commissioner did, however, note the potential for regional cooperation in future migration policy governance, particularly in Europe.

Ambassador Reda Shehata, GCIM Commissioner and Foreign Policy Advisor to the Kingdom of Bahrain, said one of the most important drivers for migration was economic disparity and, despite fears to the contrary, migration remained, for the most part, fixed-term and temporary. Given the increase in the circulation of workers, international migration should instead be thought of as ‘transnational’ migration, with migrants forming communities of transnational workers.

While receiving countries benefited from the flexible parameters of temporary migration, and the resultant economic growth, source countries benefited from a reduction in domestic unemployment and from the remittances sent home by workers. Though temporary migration would not solve demographic problems, countries concerned about the social impact of large-scale permanent migration might find temporary labour movement an alternative way to address economic concerns.

Ambassador Shehata said there was a need to ensure respect for, and protection of, temporary migrants' rights. The reluctance to initiate TMPs often stemmed from fears that such migrants would not return home once the programme ended. Thus many programmes curtailed rights and excluded workers in a bid to encourage return. Temporary migrants should benefit from the process of inclusion from the beginning.

Regional processes, such as the Barcelona Process – which celebrated its tenth anniversary this weekend – should be encouraged and negotiations on the movement of workers under the GATS Mode 4 framework should be pursued. Although there were five million citizens from the Euro-Med partner countries living legally in Europe, many more live and worked without status. Joint approaches must be found to manage migration within this region, and these needed to be integrated into a broader European plan for economic migration.

Discussion

Responding to a question about the lack of any policy for the recognition of skills, Mr. Demmink said it was only one of the obstacles to economic migration in Europe, but a very difficult one. Though beautiful language had been adopted in the EU, there was no functional or comprehensive policy. Acknowledging that Member States' diverse labour-migration needs were a root cause of this, Mr. Demmink said he believed this would come in time.

Ambassador Shehata pointed out that matching needs assessments with skills assessments (i.e. matching demand with supply) was hard enough within Europe, and near impossible to do outside Europe. Thus, the Euro-Med partnership should give special attention to mutual recognition and the certification of skills to facilitate labour migration.

Regarding the conflict between the need for labour migration and an increasingly securitised admission process, Mr. Demmink said such security problems were surmountable if information from different sources could be gathered together in one place effectively.



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Panel one – Temporary migration programmes: lessons learned

Martin Ruhs, Senior Labour Market Economist at the Centre on Migration Policy and Society, addressed two key issues: whether successful TMPs were feasible and whether they were desirable in a liberal democracy.

The advantages of temporary over permanent migration - such as the ability to address sector-specific shortages - were often difficult to realise in practice. Thus, new TMPs needed to address some of the unintended consequences of previous programmes, including the exploitation of workers, labour-market distortion, employer dependence on migrant labour in certain sectors and failure of migrants to return when the programme ended.

Mr. Ruhs made a number of recommendations for tackling these issues, including:

- The clear enforcement of labour standards;
- The portability of work permits (tying migrants to employers can lead to exploitation);
- Preferential treatment of local – and in the European case, European Economic area (EEA) – workers;
- Measures to facilitate return, such as enabling migrants to recoup the costs of their initial emigration.

It was unclear whether Europe's governments had the political will or ability to implement the policies necessary to make TMPs work. If they did, they needed to think through the implications of pursuing policies that would restrict migrant rights, such as the right to family reunification. Though economically advantageous, temporary migration might not be an ethically viable policy for a liberal democracy.

In learning from past TMPs, **Cristiane Kuptsch**, Senior Research Officer at the International Institute for Labour Studies, emphasised the need to identify the differences between now and the post-war programmes of the 1950s and 1960s, and the political factors at play.

Though TMPs were promoted for economic reasons, and employers demanded their continuation as sectors become reliant on migrant labour, programmes were often curtailed for non-economic reasons. Fears that migrants would stay on had led the Swiss and German governments to discourage the integration of temporary migrants.

Political relations between neighbouring countries - such as Spain and Morocco, Italy and Albania, and Germany and Poland – had led to the introduction of TMPs. However, they could also strain relations between countries: the poor treatment of Algerians in France had led Algeria to suspend the worker programme unilaterally.

Differences between then and now could be summarised as follows:

- Previous TMPs in Europe were in a period of general unemployment – today, there are sectoral gaps in the market;
- Labour markets today are more deregulated;



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- The recruitment of migrants used to be through public agencies – today, private recruitment dominates and is perhaps the biggest beneficiary of TMPs;
- Europe already has a large migrant population and it is unclear what impact TMPs would have on the long-term foreign-born population.

With Canada often heralded as a model for migration programmes, **John Maffett**, Immigration Counsellor with the Canadian Mission to the EU, highlighted the elements that make its TMP successful.

First, it was important to separate temporary from permanent migration schemes clearly from the beginning of the process, although it must be possible to transfer to permanent schemes in exceptional circumstances.

Second, it was important to maintain public support for such programmes by avoiding the creation of a temporary migrant underclass. Though temporary migrants were selected to address current needs rather than for their long-term potential, all migrants were considered both social and economic assets.

Third, systems needed to be flexible, open and transparent. In Canada, policy-makers had to address the fact that many of the low-skilled jobs filled by temporary workers had become permanent vacancies, yet candidates for those positions were unlikely to satisfy permanent residence criteria. As a result, innovative policies were being piloted to relax the criteria in specific sectors, such as domestic care work.

Discussion

Panellists were asked whether temporary migration could be seen as a probationary period for migrants in a country, with permanent residence as an option if this was successful. Ms Kuptsch noted that once distortion of the market and dependence on migrant workers had set in, temporary migrants often became permanent *de facto*. This raised the question of when to begin the integration process.

Panel Two – Alternative solutions to labour shortages in Europe

Pascal Kerneis, Managing Director of the European Services Forum, discussed the potential of GATS Mode 4 for addressing labour shortages in the service industry. He said that, to date, it had been unable to deliver and companies had therefore adapted themselves to the new employment environment by outsourcing work.

The EU had tabled its offer for the next round of negotiations, most significantly with respect to Contract Service Suppliers. However, by imposing a ‘numerical ceiling’ on workers in a limited number of mostly high-skill sectors, GATS Mode 4 was a limited solution for workers coming into the Union.

Policy-makers had been treating GATS Mode 4 as a migration, rather than a trade, issue, which had heightened the political constraints. If temporary migration was separated from permanent migration more clearly, this might relieve the political pressure.



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Catalene Passchier, Confederal Secretary of the European Trade Union Confederation, said migration was like rain: it would fall regardless of whether it was perceived as a problem or a solution.

One pitfall of temporary migration was that it might put workers into a 'box', preventing them from developing social relations or employment potential. In some countries, there was a large gap between precarious and permanent jobs, and no way for workers to move from one to the other. In others, successful bridges had been built to allow this. TMP programmes needed to address this. Temporary migration could perhaps be offered to irregular migrants as an immediate way out of their situation, and as a step in a longer process of regularisation.

Ms Passchier said Canada had accepted 200,000 permanent migrants in addition to 90,000 temporary migrants. In Europe, permanent migration was not a valid option, so temporary migration was being discussed as a very different policy tool. In the absence of effective migration management, recruitment agencies were also playing a huge role in worker migration. However, these agencies were not managing these movements properly either, causing big problems for trade unions in terms of protecting workers' rights.

Economic migration should not be considered in terms of alternatives, argued **Frédérique Rychener**, of the Employment Analysis Unit in the European Commission's Directorate General Employment and Social Affairs. Instead, it should be perceived as complementary. Migration was already a reality in the EU and third-country nationals would continue to play a vital role in filling labour shortages.

However, there were other approaches available to address labour needs. Thirty per cent of the European population aged 15-65 was not in the labour market. Though the rate was higher amongst the low-skilled, foreign-born and women, and rates differed across countries and genders, all sections of the population needed to become more active.

Ways to address this include:

- Taking a life-cycle approach to improve the productivity of older workers;
- Ensuring the labour market is inclusive;
- Investing more in human capital and development;
- Creating family policies which encourage women both to have families and stay in the labour market.

There was also a need to encourage those migrants already present in Europe: accepting more migrants could not be an alternative to the successful integration of existing migrants.

Discussion

Commenting on the panel presentations, Mr. Demmink said one could not manage people, only guide them. Ultimately, they would make independent decisions on the basis of what was best for them.



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Asked how labour shortages were defined, Ms. Passchier said the question of whether it was better to bring the worker to the work, or the work to the worker, had not yet been resolved. However, the rights of workers needed to be protected in both situations.

In response to criticism that GATS Mode 4 was likely to cause problems with regards to temporary migration, Mr. Kerneis agreed that it was not the solution for migration, but had been the only option offered to employers. While employers were adapting to circumstances, policy-makers were not.

Panel Three – Temporary migration and integration: contradictory objectives?

In terms of integration, there should not be such a sharp distinction between permanent and temporary migration, argued **Marco Martiniello**, Director of the Centre for Ethnic and Migration Studies at the University of Liege. However, it was unclear from EU documents, and the Common Basic Principles, what was meant by the term integration - especially in terms of identifying its goal and who decides on that goal, which was a political rather than an academic issue.

One thing missing from the debate was the issue of transnationalism and transnational links, with the focus solely on the situation as viewed by receiving countries. Migrants were thus asked to sacrifice cultural links with their home countries in order to integrate, while links had to be maintained to foster development and return.

Many of the issues associated with temporary migration and integration would be resolved if countries allowed people to come and go more easily. Going back to the models of the 1960s - ensuring returns - was not the answer. Rather, people needed to accept that TMPs would always be partly permanent. Many of today's integration problems were a result of previous TMPs.

Finally, integration and temporary migration should not be a contradiction. Multiple forms of integration should be devised to complement the multiple forms of migration occurring today. The current integration model is an outdated analytical tool.

London MEP **Jean Lambert** said that the entire range of migrant populations - and their diverse needs - must be addressed. Deciding that temporary migrants should not be integrated created tensions in terms of how much those migrants were then willing to invest in their host country. Integration should be about the choices available in a country - to educate children, participate politically, etc. - and being able to operate on a level with the rest of the population, and not based on length of stay.

There had been an important change in UK attitudes, ensuring that the integration process began on day one and even before migrants arrived. This was not just needed for effective integration, but also to attract the best, by making entry into - and establishment within - the country as easy as possible. However, part of this involved giving migrants the option to stay. They might not wish to, but they should know that it was a possibility.



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Finally, whether integrating temporary or permanent migrants, real efforts had to be made in terms of anti-discrimination and social inclusion policies for the migrant populations already present, as the inclusiveness of the existing society had a strong effect on those newly arriving.

Doris Peschke, Secretary General of the Churches Commission for Migrants in Europe, reframed the debate as a need to respond to human beings rather than to migrants.

She said there was a lack of clarity and transparency in Europe on migration policies, which made it hard to allocate rights. This problem was particularly acute for temporary migration and rights were often allocated according to local ad hoc procedures and rules. Migrants could not be expected to pay for benefits they were not eligible to receive, and care must be taken to ensure they did not become second-class citizens. Social networks were also essential, irrespective of length of stay, and policies should foster these.

Discussion

Thierry Timmermans, of the King Baudouin Foundation, suggested that the many communities in some cities should not be seen as a problem. Rather, an assessment should be made of what worked and lessons learnt from those examples. The Polish community in Brussels was, for example, very stable and characterised by strong community action, yet its population was constantly changing. It was the process of integration, rather than the goals, that was key and, in this respect, length of stay was irrelevant.