



European Economic and Social Committee

SOC/268
Immigration and
cooperation for
development

Brussels, 25 October 2007

OPINION

of the

European Economic and Social Committee

on

EU immigration and cooperation policy with countries of origin
to foster development

(own-initiative opinion)

Document submitted for translation: 29 October 2007

On 16 February 2007 the European Economic and Social Committee, acting under Rule 29(2) of its Rules of Procedure, decided to draw up an own-initiative opinion on

EU immigration and cooperation policy with countries of origin to foster development
(own-initiative opinion).

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 2 October 2007. The rapporteur was Mr Pariza Castaños.

At its 439th plenary session, held on 24 and 25 October 2007 (meeting of 25 October), the European Economic and Social Committee adopted the following opinion by 94 votes in favour, with six abstentions.

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1. Introduction

- 1.1 Since 2006, a new approach to migration and migration policy has been emerging, particularly in the light of the UN High-Level Dialogue on International Migration and Development¹. By analysing the links between migration and development, a new way of observing migrations been conceived which takes into account the interests of the countries of origin, overriding the view reigning in Europe whereby migration policy was defined only in terms of the needs and interests of the host countries.
- 1.2 Prior to the UN High-Level Dialogue on International Migration and Development, the final report of the Global Commission on International Migration (GCIM) was published (October 2005), in which the groundwork was already being laid for a multidimensional approach to international migration, paying particular attention to the development of the countries of origin. This document was followed by a considerable amount of work and meetings within the UN and other international frameworks.
- 1.3 The EU has participated in this debate, and has taken steps to consider migration policy in connection with development cooperation policy. In 2002, the European Commission issued a communication on migration and relations with third countries² which painted a broad picture of the migration issue, recommending that it not be reduced to the fight against irregular

¹ 14 and 15 September 2006.

² COM(2002) 703, December 2002.

immigration, but that it take into account the benefits and objectives of the anti-poverty campaign. The communication referred, inter alia, to the importance of remittances, "brain drain" resulting from recruitment by rich countries (including the EU) and the return of migrants, while taking into consideration the development objectives of the countries of origin.

- 1.4 Similarly, the 2004 regulation establishing a programme for financial and technical assistance to third countries in the areas of migration and asylum (AENEAS)³ included the possibility of financing migration management initiatives that would take the interests of the countries of origin into account (the regulation aimed above all to fund initiatives against irregular immigration).
- 1.5 However, the document on this subject with the broadest approach to date has been the Commission's communication on the link between migration and development, issued at the end of 2005⁴. This communication follows on from that issued in 2002, but focuses more on the links between migration and development (leaving out other aspects such as the fight against irregular immigration). It develops new areas such as remittances, the strengthening of the role of diaspora organisations for development, "brain circulation" (and the reduction of the negative impact of brain drain), etc.
- 1.6 In addition to this communication, a Commission document was also specifically drawn up in the light of its participation in the UN High-Level Dialogue on International Migration and Development⁵.
- 1.7 A new communication from the Commission⁶ has fleshed out this perspective, proposing policies for circular migration and mobility partnerships between the EU and third countries. The EESC's views are set out in point 11 of the present opinion.
- 1.8 The European Parliament has also drawn up an opinion⁷, which covers the same issues as the Commission's communications but is more incisive in its proposals. It criticises "select migration" policies because they encourage the brain drain, and proposes specific measures for the return of the most highly skilled migrants, such as the development of programmes to cover the wage differentials for those who do want to return to their country, and measures to ensure the transfer of pension and social security rights to returnees. It also refers to "brain circulation", advocates co-development policies, proposes measures for remittances, etc.

3 Regulation (EC) 491/2004 of 10 March 2004.

4 COM(2005) 390 of 1 November 2005.

5 COM(2006) 409 of 14 July 2006.

6 COM(2007) 248 final of 16 May 2007.

7 2005/2244(INI).

- 1.9 In this opinion and the own-initiative opinion on *Migration and Development: opportunities and challenges*⁸, the EESC is making a new contribution to EU migration policy by adding a new dimension: cooperation with countries of origin in order to boost their development.
2. **The global dimension of unemployment, poverty and inequality**⁹
- 2.1 In recent decades there has been an unprecedented rise in material wealth and prosperity throughout the world (at least in terms of GDP growth). However, this prosperity has been distributed very unevenly, for many countries and hundreds of millions of people have seen no part of this increased wealth.
- 2.2 Increased GDP does not accurately reflect a society's actual development level. The UNDP Human Development Index¹⁰ aims to provide a more comprehensive definition of development, which goes beyond GDP to include life expectancy and education levels. However, it does not comprise other potentially relevant indicators, such as respect for human rights, democracy, access to decent employment or equality.
- 2.3 An overriding issue is the lack of employment or other access to means of sustenance. Unemployment is commonly a key "push" factor motivating people to move where better opportunities can be found. The world's population of 6.7 billion in 2006 is growing by about 75 million every year, mostly in developing countries. The ILO report, *Global Employment Trends 2007*, estimated the world's labour force in 2006 at around 2.9 billion people¹¹. In the same year, there were an estimated 195.2 million unemployed, about 6.3% of the total global labour force. The number of "working poor" – or persons living on the equivalent of US\$ 2 per day or less – has continued to grow, reaching 1.37 billion in 2007¹².
- 2.4 The plight of farmers in developing countries is a powerful economic factor behind international migration – now and in the future. In 2000, about 43% of the world's workers were employed in agriculture, and in poorer countries they are usually worse off than urban dwellers. This is partly the result of, among other things, public policy often reflecting structural adjustment packages that have pushed countries to "modernise" agricultural

8 EESC own-initiative opinion of ... 2007 on *Migration and Development: opportunities and challenges*, rapporteur: Mr Sharma (REX/236) – CESE 673/2007.

9 Data obtained from the *Human Development Report 2006*, United Nations Development Programme (UNDP), and *A fair globalization - Creating opportunities for all*, World Commission on the Social Dimension of Globalization (backed by the ILO) (2004).

10 The most recent Human Development Report was published in 2006 (referring to data from 2004).

11 ILO, *Global Employment Trends*, 2002 (Geneva).

12 ILO report, *Key Indicators of the Labour Market* (KILM).

production to make it more export-oriented, and the consequent undermining of the position of small farmers through the increasing liberalisation of trade, who have been pushed out of farming or into chronic “underemployment”, or into rural out-migration. Indeed, between 1980 and 1999 the urban share of the population rose from 32 to 41% in low- and middle-income countries¹³.

- 2.5 It must be stressed that there is no automatic correlation between income and human development. Countries with lower revenues than others may have a higher score on the human development index¹⁴, owing to adequate public policies or the absence of conflict.
- 2.6 In today's globalised world, the countries at either end of the human development index are Norway and Niger. People living in Norway are 40 times richer than those in Niger, live twice as long and have five times the schooling rate.
- 2.7 An analysis of human development trends since the 1970s shows that most countries have improved their human development index, with the sole exception of sub-Saharan Africa, which has 28 of the 31 countries with the lowest human development levels.
- 2.8 The following figures are also worth noting:
- In the last three decades, average life expectancy at birth has increased by seven years in developed countries and nine years in developing countries. The only exception is sub-Saharan Africa, where life expectancy is lower than it was 30 years ago; it has dropped by 20 years in Botswana and 13 in Zambia.
 - Infant mortality rates are decreasing faster in developed countries than in developing countries.
 - In the context of a global knowledge-based economy, the average length of schooling for a child in a wealthy country is over 15 years; in Burkina Faso it is under four years. In less developed countries, 20% of children do not finish their primary education; in Chad, Malawi and Rwanda, this figure climbs to over 40%.
 - In Latin America, despite the more positive trends of late, there are still serious problems of poverty and of inequality in wealth distribution.

13 *Ibid.*

14 Most recent Human Development Report.

- 2.9 Poverty has decreased in the world¹⁵, but this is largely due to the development experienced by China and India in recent years. The poorest 20% of the population only enjoys 1.5% of the world's income, with daily revenues of less than USD 1. 40% of the global population receives only 5% of the world's income, and lives on less than USD 2 per day. Meanwhile, 90% of OECD inhabitants fall within the 20% of the global population with the highest income. At the other end of the scale, 50% of the inhabitants of sub-Saharan Africa are among the poorest 20%. The income (not including assets) of the world's 500 richest people is higher than the total income of the 416 million poorest people in the world.
- 2.10 Poverty, unemployment and inequality are features shared by countries from which emigration stems. The absence of decent employment, economic crisis, lack of development prospects, disasters and disease, wars, the corruption and inefficiency of some governments, and the lack of freedom and democratic institutions drive many people to abandon their countries in search of new horizons and better opportunities. In its 2005 report for the UN, the Global Commission on International Migration stated that many of the large-scale migration flows, which were unwelcome and difficult to manage, were the result of structural problems and lack of sustainable development in numerous countries.
- 2.11 Moreover, the criminal networks implicated in people-trafficking take advantage of this situation to grow rich on irregular immigration. It is therefore important that appropriate concerted action is taken against such ruthless criminal networks that are taking advantage of the plight of innocent people. It is also equally important that effective border controls, including maritime borders, are properly coordinated between countries of transit and destination.
- 2.12 The promotion of peace and democracy, of economic and social growth and human development and the campaign against poverty and inequality can significantly help to reduce unwanted emigration.
- 2.13 However, it is not the poorest who emigrate, for emigration is unattainable for the most disadvantaged people. Emigrants are those with a certain level of (personal or family) income, a higher level of education, greater enthusiasm and better physical condition, most often young people. Emigration, at least initially, contributes to the loss of human capital from the countries of origin.
- 2.14 In some – though not all – cases, poverty and lack of opportunities are the motivating factors for many emigrants to Europe. The EU must actively cooperate in combating poverty in the countries of origin, and in implementing a comprehensive approach to immigration policy.
- 2.15 The EESC proposes that the European Union and Member States promote a fresh political drive to meet the Millennium Development Goals, agreed seven years ago at the UN and

¹⁵ United Nations Development Programme, 2006 Human Development Report.

which must be achieved by 2015, and which should be pursued in tandem with the drive for decent work promoted by the ILO.

- 2.16 Progress has been slow and the international community is not meeting the necessary political commitments; for example, few Member States are meeting the commitment to allocate 0.7% of their GDP to development aid. The interim assessment carried out by the UN Secretary-General in 2007¹⁶ is disappointing, progress has been limited and development aid even fell by 5.1% between 2005 and 2006.
- 2.17 The Committee proposes that the European Commission adopt a precise agenda to promote the eight millennium goals:
- eradicate hunger: reduce extreme poverty by half, in other words reduce by half the proportion of people living on less than one dollar a day;
 - universal education: guarantee primary education for all children;
 - equality: eliminate gender disparity and empower women;
 - child mortality: reduce by two thirds the mortality rate among children under five;
 - maternal health: reduce by three quarters the mortality rate amongst pregnant women;
 - pandemics: halt and begin to reverse the spread of diseases such as malaria and Aids;
 - sustainability: reduce by half the proportion of people without access to drinking water and sanitation;
 - trade: establish a multilateral trading system while combating corruption and promoting good governance.

3. Trade and development

- 3.1 From various angles, the opening-up of trade is linked with economic growth, development, job creation and reduced poverty. The clearest example can be seen in the negotiations currently being held in the World Trade Organisation (WTO). The current round of negotiations (the Doha Round) has been dubbed the Development Round. Sharing the same aim are the Economic Partnership Agreements (EPA), which were negotiated as an integral part of the Cotonou agreement between the EU and ACP countries, and the European Commission's recent communication *Towards an EU Aid for Trade strategy*¹⁷.
- 3.2 In some instances, the opening-up of trade is linked with the development of the poorest countries and the reduction of unwanted immigration. In other instances, emigration is seen as a consequence of developed countries protecting their markets from the products of developing countries.

¹⁶ See the 2007 United Nations report on its website: www.un.org.

¹⁷ Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: *Towards an EU Aid for Trade strategy – the Commission's contribution* COM(2007) 163.

- 3.3 It is useful to consider how the promotion of trade can help to reduce poverty in the world. The EESC believes that one key reference is the recent joint study conducted by the International Labour Organization and the WTO, *Trade and employment: Challenges for policy research* (March 2007).
- 3.4 In the last decade, global poverty has decreased as trade barriers have been significantly reduced. However, this decrease has occurred mostly in China and India, and has been limited to certain regions and social sectors. The experiences of countries that have opened up their economies have been varied. Countries which based their development on textile exports have not significantly reduced poverty; in other countries, only the informal economy has grown. In Asia, wage differences have decreased between skilled and unskilled workers, while in Latin America, they have increased¹⁸.
- 3.5 The EESC believes that, contrary to what is thought by the elites governing certain developing countries, there is no contradiction between development and human rights. Studies¹⁹ have shown that international investment and exports increase in countries which democratise their political systems, promote labour rights and improve social protection. Complying with the international standards of the ILO on promoting decent work, and supporting dialogue with the social partners and with civil society organisations are examples of good governance which the Committee endorses.
- 3.6 Furthermore, the opening up of markets by industrialised nations can help boost development, although this does not always have a positive impact on all countries, for only those countries with a certain level of development – with strong national markets, efficient export infrastructures and stable political systems – are able to benefit from the reduction in customs and non-customs barriers in order to increase development and cut poverty.
- 3.7 The effects of globalisation on development differ from country to country, depending on the policies they apply: greater democracy and respect for human rights, and improvements in education, healthcare, infrastructure and employment policies are policies that drive growth and reduce poverty and social inequalities.
- 3.8 The EESC believes that the EU, within the framework of the WTO negotiations, should facilitate the increase of international trade (particularly between the EU, Africa and Latin America) and the extension of democracy and human rights in the world.

18 Report quoted by the ILO and WTO.

19 Independent Evaluation Group of the World Bank, *Annual Review of Development Effectiveness 2006. Getting results*, and OECD studies on trade and labour.

3.9 The EU has association agreements with a variety of countries around the world: Euromed, ACP, Russia and our eastern neighbours, Mercosur, the Andean Community, China, India, etc. Through its opinions and joint committees, the EESC seeks to ensure that such agreements extend beyond trade issues to cover a range of social aspects.

4. **Development cooperation**

4.1 In the context of development cooperation, the EU should support recipient countries' implementation of public education and employment policies, in cooperation with the social partners and civil society organisations. These policies are key to development, together with the promotion of peace and good government.

4.2 Until now, the EU's development cooperation policies have focused little on the role of migration as a factor to combat poverty.

4.3 Official Development Assistance is based on the principles of social justice and redistribution of wealth. Development cooperation policy aims to combat poverty and allow every person to lead a life of dignity. Although it does not directly aim to boost or control migratory movements, the fight against poverty and inequality is one way to help reduce the underlying causes of forced emigration²⁰.

4.4 It is unacceptable for development aid policy to be used as an instrument of pressure in international negotiations on migration, as it was by some leaders at the Seville European Council.

4.5 The EESC believes that the EU could promote the involvement of diaspora communities in cooperation projects, as they could make a significant contribution when it comes to the drafting of proposals and assessment of results, often carried out by experts from donor countries with only a partial knowledge of the recipient areas.

4.6 Democracy and human rights, education and training, promoting the empowerment of women, healthcare and the environment are the priority goals of EU cooperation. The EESC believes that the reinforcement and promotion of civil society organisations is also very important.

4.7 EU aid could be provided for the creation of networks and joint committees between social partners and civil society organisations from the source and host countries. For example, awareness-raising is an important part of development cooperation policies. The public in the European host countries should be informed about the culture and working, living, social and political conditions of countries from which migration stems.

²⁰ Oxfam - Intermón: *Migraciones y desarrollo: el papel de la cooperación* ("Migration and development: the role of cooperation"), Estudios, No 8 (2001).

5. A European immigration policy in cooperation with the countries of origin

- 5.1 It is surprising that EU Member States have yet to ratify the *International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families*, which was adopted by the General Assembly of the United Nations in Resolution 45/158 of 18 December 1990 and which has been in force since 1 July 2003. The EESC²¹ once again proposes that the EU and its Member States ratify the Convention. In line with the objectives of the Tampere and Hague European Councils, the Committee believes that respect for human rights and equal treatment should form the basis of the European immigration policy.
- 5.2 The EESC proposes that the Commission, the Parliament and the EU Council promote, within the framework of external policy, an **international legal framework for migration**, on the basis of the Universal Declaration of Human Rights, the Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights. This international legal framework should include:
- the UN International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families;
 - the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW);
 - the Convention on the Elimination of all Forms of Racial Discrimination (CERD);
 - the Convention on the Rights of the Child (CRC);
 - the ILO conventions on migrant workers (C 97 and C 143);
 - the ILO Declaration on Fundamental Principles and Rights at Work;
 - the ILO Multilateral Framework on Labour Migration;
 - the Durban Declaration and Programme of Action of the 2001 United Nations World Conference against Racism.
- 5.3 Immigration policies have hitherto focused on aspects which are appropriate, and have received the EESC's support, but which are geared to the interests of European nations only as receiving countries: combating irregular immigration and trafficking in human beings, meeting the needs of our labour markets and economic development; this is how social or identity problems are viewed and admissions policies for attracting (highly skilled) immigrants while rejecting others are defined.. On the basis of these considerations, Europeans set up immigration policies which may be more open or more restrictive, but always focus exclusively on the effects of immigration on European societies.
- 5.4 However, the EU and most of its Member States have very active development cooperation policies, and Europe also has neighbourhood and association agreements with many countries

²¹ EESC own-initiative opinion of 30 June 2004 on the *International Convention for Migratory Workers* (rapporteur: Mr Pariza Castaños (OJ C 302 of 7.12.2004).

around the world. Yet these policies have previously been implemented without adequate links to immigration policy, as though they were separate entities, under the misguided idea that migration policy is possible without the cooperation of the countries of origin.

- 5.5 Many studies have been carried out on the effects of migrations on developing countries. Every report leads to the general conclusion that the contribution of migrants is positive for the economic and social development of the countries of origin but that, for some countries, there are also negative effects. The positive effects include the importance of remittances, while the brain drain and the loss of human resources are among the negative ones.
- 5.6 The EESC supports a new approach for European policies: immigration policy should be managed in cooperation with the countries of origin, so that migration can be a factor for their development. This would require the review of many aspects of these policies, including those relating to admission criteria and the possibilities for mobility of immigrants.

6. **Migration is positive for both countries of origin and host countries**

- 6.1 The benefits deriving from immigration for the receiving countries have been set out at length in other EESC opinions. In the case of the European countries, immigration has successfully met labour market needs generated by demographic change²². Immigrants occupy posts unfilled by local workers, and contribute to economic development, job creation and social progress. As pointed out in the UN Secretary-General's report marking the High-level Dialogue on International Migration and Development, "... migrants ... maintain viable economic activities that, in their absence, would be outsourced. By enlarging the labour force and the pool of consumers and by contributing their entrepreneurial capacities, migrants boost economic growth in receiving countries"²³. Furthermore, the Committee has proposed that the EU strengthens integration policies²⁴. Migration can be beneficial for all: for migrants themselves, for the host societies and for the countries of origin.
- 6.2 For developing countries, emigration enables excess labour to be evacuated, thereby reducing unemployment, and acts as a major mechanism for alleviating poverty given the scale of the remittances sent by emigrants to their families. Moreover, when they return, migrants play an increasingly important role as economic catalysts, becoming employers or promoting small

22 See the EESC opinion of 9 June 2005 on the *Green paper on an EU approach to managing economic migration* (rapporteur: Mr Pariza Castaños), OJ C 286 of 17.11.2005.

23 See United Nations document A/60/871, 2006: *International migration and development. Report of the Secretary-General* <http://www.un.org/Docs/journal/asp/ws.asp?m=A/60/871>.

24 EESC own-initiative opinion of 21 March 2002 on *Immigration, Integration and the Role of Civil Society Organisations* (rapporteur: Mr Pariza Castaños, co-rapporteur: Mr Melícias (OJ C 125, 27.5.2002) and the EESC own-initiative opinion of 13 September 2006 on *Immigration in the EU and integration policies: cooperation between regional and local governments and civil society organisations* (rapporteur: Mr Pariza Castaños (OJ C 318, 23.12.2006)) and the conference on integration, organised in conjunction with the European Commission, and held in September 2002.

businesses, and transmitting new skills and technologies. But there are also harmful effects, such as the loss of the most highly-trained and enterprising young people.

- 6.3 The EESC proposes that the positive effects be maximised, and the negative ones minimised, by means of cooperation with the countries of origin. This is one of the challenges of our times. The final report of the Global Commission on International Migration stressed that today's challenge was to formulate policies that maximise the positive impact of migration on countries of origin while limiting its negative consequences. It also argued that migration must form part of national, regional and global development strategies and that, to achieve this objective, the receiving countries must clearly acknowledge that migration is beneficial for them too²⁵.
- 6.4 Migration cannot be a catalyst for development in a way that is isolated from other political, economic and social factors. For this reason, the EESC believes that the EU should adopt a new approach to immigration and development policy, in cooperation with countries of origin, promoting development through structural change which fosters democracy and good governance, helps reduce inequality, and improves human capital and the infrastructure necessary for sustainable development.

7. **The benefits of remittances**

- 7.1 Remittances are the personal resources of immigrants, but for some countries of origin they have taken on major importance as a source of income. The figures speak for themselves: in 2005 the developing nations received remittances totalling some USD 167 billion (compared to estimates from the same source of 69 billion in 1990). The UN Secretary-General has confirmed that in 2006 emigrants sent 264 billion dollars home. This is almost four times the volume of official development aid. In some countries, it also outstrips foreign investment.
- 7.2 Remittances provide uninterrupted, stable support for family maintenance. It is immigrants and their families who carry out most of these international money transfers. In Europe, between 60% and 70% of immigrants send money to their families. They are mostly converted into direct consumption, although not only of tangible products: a significant proportion of remittances is spent on education and health, enhancing human capital as a consequence. The economies of the places to which remittances are sent benefit from increased consumption and investment in small businesses. The increased amounts of money in circulation also foster the development of the financial sector. Income in European currencies also contributes to the financial balance of the countries of origin.
- 7.3 Problems as well as benefits can however arise: the price of some consumer goods may rise, increasing hardship for families not receiving remittances; certain crops and production

²⁵ See Global Commission on International Migration, 2005: *Migration in an interconnected world: New directions for action*, <http://www.gcim.org/en/>.

sectors (the less profitable ones) are abandoned, as are some jobs, because the income they generate is very small compared to that from remittances.

- 7.4 These problems must be taken into account, although the Global Commission on International Migration concludes that, overall, migration is a major plus factor for developing countries: *"Remittances that are transferred formally can provide an important source of foreign exchange to recipient countries, boost the capacity of the financial sector, help to attract subsequent investment and provide some leverage for sovereign loans"*²⁶.
- 7.5 Informal channels for transfers should be limited, since they involve higher costs and risks. Informal networks are often created as a result of the absence of competitive financial institutions in more remote areas. The EESC believes that in order to maximise the benefits for the countries of origin, the cost of financial intermediation in remittances should be lowered. These costs are often excessive, and are not in line with the cost of other international economic transactions. Experts calculate that the costs vary considerably from one region to another; for example, transfers from Spain to Latin America and the Caribbean cost 2%, but between 8% and 10% from Europe to the majority of countries in Africa. European financial sector authorities and supervisors should urge European banks to act ethically and in a socially responsible manner in order to reduce the cost of remittances. The efficiency of banks in the countries of origin also needs to be increased, as their structures and the guarantees they offer are often insufficient. Europe should promote agreements between the financial sectors on each side, mediated by governments and international organisations, with a view to reducing the final cost of transfers. Banks can promote systems of good practice through social responsibility agreements.
- 7.6 The Commission has announced it is to prepare a directive requiring financial service providers to display more transparency regarding the commission they charge their customers. The directive should be very strict with regard to remittances, in order to put an end to the present excesses. Furthermore, financial system regulators should be vigilant, ensuring that inappropriate exchange rates are not applied to transactions, which unfairly increase the final cost of remittances.
- 7.7 The EESC proposes that remittances be used to promote investment in economic and social activities. In cooperation with the local authorities, the banks can build up new credit systems linked to remittances in order to fund economic activity and entrepreneurial initiatives. To this end, the financial sector needs to be equipped with proper structures and sufficient liquidity.
- 7.8 Spending on education and health are the major investments of families that receive remittances. Financial, insurance and credit instruments linked to remittances must be promoted with a view to raising achievement in the fields of education and health.

²⁶ idem.

8. **Diasporas as transnational networks**

- 8.1 International migration has increased significantly over recent decades, against a backdrop of globalisation. The number of migrants has risen sharply²⁷, the number of countries of departure has grown, together with the number of receiving countries and those which are countries of origin and host countries at the same time. This upsurge in migration has been facilitated by cheaper transport and communications. International travel is now easier (apart from border controls), even between the most remote parts of the world.
- 8.2 Cheaper travel, especially air travel, combined with today's telephone and electronic communications, is opening the doors for unprecedented communication and links between people, and between migrants' places of origin and destinations. People who emigrate and spread out over a range of destinations can now network much more closely and easily than in the past.
- 8.3 Migrants' networks are playing an increasingly important role in migration processes: such networks help people to decide on their own migration plans, they facilitate travel and transit, and make arrival in the country of destination easier, together with access to housing and job-seeking.
- 8.4 Emigrants promote businesses in their places of origin. Many of the businesses that immigrants set up in host countries, for example, import products from their countries of origin, encouraging production and marketing. Increasing travel boosts their transport businesses. When migrants attain an economically-strong position in their country of destination, they frequently make direct investments in their country of origin: many businesses are built up in this way in certain regions of China and in the IT sector in India and Pakistan. Furthermore, many immigrants promote economic activities and business in Africa and Latin America.
- 8.5 Multinational companies are increasingly employing people of immigrant origin to introduce their businesses to the countries of origin. A large number of European multinational companies recruit their managers and technical staff from among immigrants, with a view to internationalising their activities.
- 8.6 Diasporas, organised into transnational networks, can also help to ensure that a portion of remittances are channelled into economic activities and entrepreneurial projects. The EU's cooperation policies can cooperate with migrants' networks, as such networks provide opportunities to channel aid effectively and amplify the investment capacity of the diaspora communities.

²⁷

There were 155 million migrants in 1990; this figure had risen to 191 million by 2005.

- 8.7 In some places migrant diasporas, acting as networks, invest in their countries of origin. Some projects can serve as a model: one such is the "three for one" programme in Mexico, under which associations of migrants from the same area invest in projects to develop their place of origin, with each dollar they send being matched by another from each level of government – federal, state and municipal²⁸.
- 8.8 The EU must support transnational diaspora networks as a way of fostering the development of the countries of origin. Network associations from a single town of origin can together channel amounts of investment that can be multiplied by European and national contributions.
- 8.9 The European Commission and Member States, in cooperation with countries of origin and civil society organisations, must promote favourable conditions enabling diasporas to optimise the impact of their activities on development. The EESC proposes that a portion of EU and Member State public funds be channelled to development activities promoted by diaspora communities. Public-private cooperation is key to the success of economic and social activities. Some examples of good practice:
- 8.9.1 IntEnt, which is based in the Netherlands, has over the past ten years supported almost 2000 entrepreneurs from the diasporas of Surinam, Ghana, Morocco, the West Indies and Turkey, providing EUR 12.5 million to create 200 businesses, which have employed 840 persons in these countries of origin.
- 8.9.2 Established in Marseilles in 1986, *Migrations & Développement* supports various Moroccan immigrant organisations (including young French people of Moroccan origin) in order to harness support for their places of origin in Morocco. Thousands of immigrants of the diaspora have contributed financially to various projects, and 300 of them were directly involved in the implementation, benefiting more than 50 000 persons in Morocco.
- 8.9.3 Diaspora organisations in the United Kingdom have been at the forefront of the RemitAid²⁹ campaign for tax relief on collective remittances sent to develop countries of origin. RemitAid provides support for the development initiatives of diasporas through a joint fund comprising tax refunds from remittances (similar to the gift aid scheme which provides tax relief for charitable donations in the UK).
- 8.9.4 The Philippine organisation for migration and development (Philcomdev) is a recently formed network of organisations for emigrants and their families, NGOs, cooperatives, trade unions, microfinance organisations, social enterprises, networks in the Philippines and abroad, which are active in the area of migration and development in their country.

28 See United Nations A/60/871, *op cit*.

29 See www.remitaid.org.

8.10 Using European development aid, support should also be given to exports to Europe of products from the countries of origin, and they should be channelled through fair-trade systems by diaspora networks.

8.11 The EESC also proposes that direct investment, by both individual migrants and their associations, be supported. Investment in, for example, tourism or agriculture can generate major development opportunities in many places of origin. Credits, granted to migrants or diaspora associations for commercial or direct investment projects in the country of origin, represent a form of support that European countries should step up through their cooperation policies.

9. **Return and greater possibilities for movement, as a way of recovering human capital**

9.1 Some international migrants are skilled or highly qualified workers. This "brain drain" is one of the most harmful effects of migration for the developing countries. Not all countries of origin experience its impact in the same way, but it is nothing less than a disaster for some. As indicated in the SOPEMI report, between 33% and 55% of the best-educated people from Angola, Burundi, Ghana, Kenya, Mauritius, Mozambique, Sierra Leone, Tanzania and Uganda are living in OECD countries³⁰. In Africa, the health sector is one of the worst affected, along with education.

9.2 The effect of emigration of graduates and highly-skilled workers is less negative in some countries of origin. The departure, for example, of highly specialised information technology workers from India and Pakistan, has not had any harmful repercussions, since these countries have a very robust educational and training system for computer specialists, of whom there is no shortage.

9.3 When not on a large scale, the brain drain may even be of benefit to countries of origin as a certain degree of return and movement is constantly in play, bringing in new know-how, technologies and business ventures. This is what is happening in countries such as Brazil or India. In very many countries, however, the brain drain entails an irreplaceable loss of specialists and qualified professionals.

9.4 The brain drain is advantageous to the European host countries. Immigration legislation has been amended in certain European countries since 2002 in order to facilitate the entry of highly skilled workers.

9.5 The European Union too intends to promote a policy of selective immigration: the Policy Plan on Legal Migration³¹ proposes a specific directive on the entry of highly skilled workers, to

³⁰ See SOPEMI 2005, OECD.

³¹ COM(2005) 669 final of 21 December 2005.

be presented by the Commission in September and on which the Committee will draw up an opinion. There are however no plans to draw up a general directive on entry. In spite of the criticisms levelled by the EESC and the European Parliament³², such "selective immigration" policies are set to spread throughout Europe, at the risk of worsening the difficulties experienced by some countries. The Committee however believes that this legislation should be of benefit to all: to the countries of origin, the host countries, and immigrants themselves.

- 9.6 Consistency between migration and development cooperation policies requires the host countries to deal with the brain drain issue firmly and decisively. The first aspect for consideration in this regard is that the problems which, in the countries of origin, trigger the departure of skilled workers, could be turned into benefits if the workers concerned return with new know-how of use to companies, the economies or the public services of their countries. Returned migrants can serve as a vector not only for transfer of know-how and technology, but also for investment.
- 9.7 Seen in this light, encouraging migrants to return will help the development of the countries of origin. Return must be entirely voluntary, once the conditions are right for workers to continue their occupation in their country of origin. The challenge is therefore to create such conditions.
- 9.8 If skilled workers are to be encouraged to return voluntarily, such a move must not entail the loss of their work and residence permits in Europe (or of any new citizenship they may have acquired). This is the only way to bring about circular migration.
- 9.9 Return can also be promoted by transferring returnees' social entitlements to their countries of origin. It must be ensured that the transfer of pensions and social security entitlements, including healthcare, works properly. The UN Secretary-General's report on international migration and development described the vast majority of international migrants as facing obstacles in transferring their pensions; although many bilateral agreements have been concluded, it proposed devising an international framework offering more certainty. ILO Convention No 157 concerning the establishment of an international system for the maintenance of rights in social security (1982), has only been ratified by three countries (Spain, the Philippines and Sweden)³³. The Committee proposes that the other Member States ratify ILO Convention No 157.
- 9.10 Programmes need to be adopted, by means of European cooperation development policies, to prevent brain drain and to facilitate the voluntary return of skilled workers, and to invest in skills-intensive sectors and activities in the countries of origin.

³² 2005/2244(INI) and EESC opinion of 9 June 2005 on the *Green Paper on an EU approach to managing economic migration*, (rapporteur: Mr Pariza Castaños (OJ C 286, 17.11.2005)).

³³ See United Nations A/60/871, *op cit*.

- 9.11 The EESC agrees with the Commission's proposal that the Member States should draw up codes of practice for managing the entry of highly skilled migrants, in cooperation with the countries of origin.
- 9.12 The EU must play a very active part in training young people in immigrants' countries of origin. These countries lose a large part of their best-trained human capital, which is harnessed by European companies. Training cooperation is a fair way of compensating these countries, which can thus in the future count on the human capital they need for their development.
- 9.13 The EESC emphasises the importance of agreements and associations with countries of origin, which European universities, hospitals, companies and technology and research centres could conclude with the countries of origin, the aim being for some very highly skilled workers to work in their countries of origin, with pay, social rights and occupational resources comparable to those in Europe.
10. **A migrants' entry policy in keeping with development aims: allowing entry contributes to development**
- 10.1 The European Union and its Member States should adjust their entry policies to allow legal immigration by means of flexible and transparent procedures. In its opinion on the Commission's Green Paper³⁴, the EESC argued that there was a need for open policies on the entry of both highly skilled and less skilled workers. While understanding the position adopted by some governments, the Committee has also proposed that Member States end the transitional period which limits the freedom of the citizens of some new Member States to reside and work in their countries.
- 10.2 Irregular immigration must be reduced through policies with an internal European focus, such as combating the employment of irregular immigrants by means of Community legislation³⁵, which the Committee will examine in another opinion currently being drawn up, border controls and combating human trafficking, and cooperation with countries of origin and transit. The EU must show support for the countries of southern Europe, sharing the costs they incur in having to manage the massive influx of irregular immigrants and carry out numerous sea rescue operations and reception activities and provide humanitarian assistance. Under exceptional circumstances, it will also be essential that the legal situation of many

³⁴ See the EESC opinion of 10 December 2003 on the *Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the regions on immigration, integration and employment* (rapporteur: Mr Pariza Castaños), OJ C 80 of 30.3.2003.

³⁵ See the draft directive of 16 May 2007 on *Minimum penalties for employers who employ irregular immigrants* (COM(2007) 249 final).

people "without papers" in the EU is regularised, people who are the victims of labour exploitation and who are unable to participate in integration policies.

- 10.3 As a part of more flexible entry policies, temporary migration systems and circular migration should be promoted, for both highly skilled and less skilled workers.
- 10.4 If a temporary immigration system is to be realistic, Community legislation must offer highly flexible short-term permits, combined with return arrangements and guarantees of further employment in subsequent years. In this way, many immigrants will use legal channels, and will not remain in Europe under irregular conditions when their residence permits expire.
- 10.5 The EESC urges the EU and the Member States to agree circular migration procedures with the countries of origin, to promote migration mobility through flexible, transparent procedures. Such agreements must be balanced, serving the interests of both parties so that immigration can also be a factor for development in the countries of origin.
- 10.6 Temporary entry arrangements which include training commitments and recognition of vocational qualifications may also be useful, since temporary immigrants working in Europe would be able to enhance their qualifications and, after returning, boost job opportunities and contribute to the economic and social development of their countries.
- 10.7 The current inflexibility of legislation in Europe is a major barrier to circular migration. In order to facilitate migrant mobility, return and business initiatives in the countries of origin, European immigration laws must allow the right to permanent residence to be kept over the long term.
- 10.8 To this end, the EESC proposes that the Directive on long-term resident status be amended to extend the period that residents can keep their permanent rights from the current one year to three years. In its opinion³⁶, the EESC argued that a year (or two years, as in the Commission's original proposal) was too short a period for many immigrants to take up the challenge of returning to their place of origin based on career plans.
- 10.9 At a time when the EU is promoting a global focus for immigration policy, and in view to consistency between immigration and development policies, all individuals who are long-term residents in a Member State must be able to return to their countries of origin without losing their residence rights for at least five years.

³⁶

See the EESC opinion of 17 October 2001 on the *Proposal for a Council Directive concerning the status of third-country nationals who are long-term residents* (rapporteur: Mr Pariza Castaños), OJ C 36 of 8.2.2002.

11. Promoting circular migration and mobility partnerships

- 11.1 In May, the European Commission published an important communication³⁷ on circular migration and mobility partnerships between the European Union and third countries. Although this is an own-initiative opinion, it also represents an EESC contribution to the debate initiated by the Commission. Certain sections of the opinion contain EESC proposals on questions raised by the Commission in its communication.
- 11.2 The Communication is divided into two parts: the first sets out the advantages of developing mobility partnerships with third countries, and the second looks more specifically at circular migration.
- 11.3 The Committee supports the proposal to establish **mobility partnerships**, so that the EU and the Member States provide opportunities for legal immigration through flexible and transparent procedures. The partnerships are based on agreements signed by immigrants' countries of origin and EU Member States.
- 11.4 Countries of origin are required to make the same commitments as those asked in relation to combating irregular immigration, which are very precise (readmission, border controls, security of travel documents, combating migrant smuggling and human trafficking, etc.). It is important that such countries honour their international obligations under the Cotonou Agreement, in particular the provisions of Article 13. The Committee believes that certain countries with "weak" government will have great difficulty meeting these conditions, and therefore proposes that mobility partnerships be flexibly adapted to suit the situation of each country of origin.
- 11.5 Types of agreement for the Member States may include the following four.
- 11.5.1 The first are those offering improved opportunities for legal migration, while respecting the principle of Community preference for EU citizens, which the Committee endorses. The EESC supports the idea of several Member States (reinforced cooperation) making a consolidated offer to countries of origin, as an EU offer in the form of quotas and instruments to match European job markets.
- 11.5.2 The second type of agreement involves the European Commission and the Member States providing technical and financial assistance to manage legal migration flows. The Committee believes that Community funding available under the thematic programme on migration and asylum will be inadequate, and therefore proposes to the Commission, the Parliament and the Council that this funding should be significantly increased in the future.

³⁷

On circular migration and mobility partnerships between the European Union and third countries, COM(2007) 248 final.

- 11.5.3 Thirdly, the Committee shares the view that mobility partnerships, by agreement with the countries of origin, can be used to discourage immigration from certain sectors in order to avoid a brain drain (among health professionals in certain European countries, for example). The agreements should favour circular migration and the return of temporary immigrants.
- 11.5.4 Under the fourth type of partnership, the EU and the Member States will improve procedures for issuing short-stay visas. In a number of opinions, the EESC has pointed to the need to improve the organisation of consular services in the EU Member States and countries of origin. The Commission delegations should cooperate with the Member States on migration matters, and the EURES network should be used to identify existing employment offers in the EU. The Committee endorses the Commission's proposal to enhance cooperation between several Member States by opening common visa application centres, to strengthen common consular instructions in order to issue multiple-entry visas for third-country nationals who need to travel frequently, and to facilitate the issue of visas for certain categories of person defined in the mobility agreements.
- 11.6 The Commission is in favour of facilitating **circular migration**. The EESC considers that current immigration legislation is very rigid and not satisfactory either for immigrants, the countries of origin, or the European host countries. In various opinions the EESC has recommended more flexible rules in order to facilitate circular migration systems that would respect individual preferences. The fundamental rights of immigrants must be fully protected, especially social and employment rights, and a person's right to live with their family.
- 11.7 The Commission proposes two types of circular migration: (1) migration of third-country nationals settled in the EU, so that they can develop activities in their country of origin while retaining their right to residence in a Member State, and (2) circular migration for people residing in a third country, so that they can come to the EU for work, study or training, or all three, on condition that when their permit expires they return to their country of origin, with the possibility of returning to the EU under simplified admission procedures.
- 11.8 The Committee believes that a system of circular migration can be developed only when migrants, temporary or otherwise, who have returned to their country of origin, have the option of returning legally to the European country in which they were residing. Strengthening circular migration means above all introducing measures to ensure that return to the European country is flexible.
- 11.9 The EESC agrees with the Commission's proposal to develop an EU legislative framework facilitating circular migration. This will entail changing some existing Directives and agreeing on appropriate criteria for drawing up the new Directives provided for under the legislative programme, including those discussed below.
- 11.9.1 Proposal for a Directive on the admission of highly skilled immigrants: the Committee endorses the Commission's proposal to further facilitate admission procedures for people who

have already resided legally in the EU for a certain length of time (for highly qualified work, study or other forms of training).

- 11.9.2 Proposal for a Directive on the admission of seasonal migrants: the Committee recommends that a multi-annual residence/work permit be created for seasonal migrants, allowing them to come back for five years in succession, which may be extended for a further five years, to do seasonal work.
- 11.9.3 Proposal for a Directive on the admission of remunerated trainees: the Committee considers that making it easier for nationals from third countries to come to Europe for a period of training, which will help to promote circulation of expertise and knowledge transfer, is a positive factor for their training and their country's development. To enhance circularity, the proposal could make it possible for former trainees to return for limited periods (1-5 years) in order to improve their qualifications.
- 11.9.4 The EESC suggests that the Commission should promote some changes to various existing Directives in favour of circular migration. Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents currently stipulates that, as a general rule, long-term residents shall no longer be entitled to long-term resident status in the event of absence from Community territory for a period of 12 consecutive months. The Commission is proposing to extend this period to two or three years, and the Committee considers five years to be a more appropriate length of time.
- 11.9.5 Directive 2004/114/EC on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service and Directive 2005/71/EC on a specific procedure for admitting third-country nationals for the purposes of scientific research: the Committee agrees that these Directives should be amended to introduce multiple-entry residence permits allowing the holder to leave EU territory for long periods without losing his or her right of residence. It would also make sense to convert the optional provisions of these Directives, which allow Member States to provide simplified or fast-track admission procedures for persons who have formerly worked as researchers or studied in the EU, into a right for such persons to have access to quick procedures, provided they subsequently return to their home country at the end of their permit. The Committee also favours linking the two Directives, by allowing easier admission as a researcher (with fewer conditions attached) to non-EU nationals who have previously been admitted as students and who, after their studies, duly returned to their country of origin. This concept might be extended to allow students to apply for admission as researchers while still residing in the Member State where they are studying, provided the application is submitted before their study permit expires.
- 11.10 The EESC believes it is necessary to ensure that circular migration meets its objectives and brings long-term benefits through incentives to promote circularity, guarantee a successful

return, evaluate the application of procedures and reduce the risk of a brain drain through cooperation with third countries.

- 11.11 Circulation of expertise requires resolution of one of the main problems facing many immigrants in Europe, namely non-recognition of educational and occupational qualifications. Mobility of such people between their countries of origin and the host countries will improve when qualifications are recognised in Europe. The Committee proposes that, in spite of the real difficulties, progress be made in negotiating agreements on the recognition of qualifications between the EU and the countries of origin of the bulk of migration flows.
- 11.12 For a system of circular migration to work it is also necessary to guarantee the pension and social security rights acquired by immigrants. This will entail negotiating mutual agreements between EU Member States and countries of origin, and ratifying ILO Convention No 157.
- 11.13 The Committee proposes that the EU should put forward these chapters in the future mobility partnerships, in order to facilitate the recognition of vocational qualifications and offer guarantees on pension rights.

12. **Global Forum on Migration and Development**

- 12.1 On 10 July the Global Forum on Migration and Development was held in Brussels, chaired by UN Secretary-General Ban Ki-Moon. More than 800 delegates from 140 countries took part, continuing the United Nations summit of 2006.
- 12.2 The EESC took part in the Civil Society Day on 9 July, represented by the rapporteur for this opinion. The conclusions of the forum, which the Committee broadly endorses, can be found on the conference website³⁸. Next year the Global Forum will take place in Manila, and should be attended by the Committee.
- 12.3 The Committee encourages the governments of the European Union and the Commission to actively pursue their efforts through the United Nations to ensure that the issue of migration features prominently on the international agenda, so that the human rights of migrants are guaranteed under an international legislative framework and that shared administration of migration processes between countries of origin and host countries supports global economic and social development.

³⁸

The conclusions are available in English (at http://smooz.gfmd-civil-society.org/gfmd/files/Final_CSD.pdf) and Spanish (at http://smooz.gfmd-civil-society.org/gfmd/files/Final_CSD_espanol.pdf).

12.4 The Committee addresses the question of circular migration for the first time in the present opinion: future opinions will examine it further.

Brussels, 25 October 2007.

The President
of the
European Economic and Social Committee

The Secretary-General
of the
European Economic and Social Committee

Dimitris Dimitriadis

Patrick Venturini
