

**AFRICAN, CARIBBEAN AND PACIFIC (ACP)
GROUP OF STATES**

**BACKGROUND PAPER
ROUNDTABLE 2**

**Migrant Integration, Reintegration and Circulation for
Development**

NON-PAPER

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MIGRATION AND DEVELOPMENT**

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1. INTRODUCTION

The ACP Group of States acknowledges that a positive migration and development nexus can only exist within an international relations system that favours inclusion, cohesion, protection and acceptance of migrants and their families, and that considers the individual rights of migrants in cases of voluntary or forced returns.

Through its Secretariat and individual members, the ACP Group of States works to support the inclusion of the “migration and development nexus” agenda in a broader and ultimately essential agenda for global welfare, in which the benefits and costs of internal, interregional and international mobility are equally shared among involved states, and in which mobility is considered one of the fundamental individual freedoms promoting human development.

Therefore, enhancing the development potential of migration for both the individuals and the sending and receiving countries requires the removal of structural constraints that impede the accumulation and mobilisation of migrants’ human, economic, social and cultural capital. The main structural constraints for ACP nationals are the barriers to freely move back and forth, together with limited access to segments of the labour market that correspond to actual skills, limited recognition of diplomas and professional competences in the destination country, and hidden forms of discrimination. At home, a fatigued labour market combined with weak social security systems is unable to guarantee a functional reintegration of the migrant at the end of the migratory project.

Eliminating these structural constraints is at the core of ACP Group of States Brussels Declaration and Plan of Action, approved by the Ministers of Asylum, Migration and Mobility in April 2006, and the ACP Group Brussels Resolution on Migration and Development, approved in May 2008. These include a more thorough understanding of host countries’ migration, integration, and return policies, and migrant communities’ needs, aspirations, expectations and capacities.

Social inclusion, protection and acceptance are therefore the prerequisites to promoting migrants’ active participation (empowerment) in social, economic and political life, and to unleashing an “engagement surplus” that can be eventually channelled by migrants to the development of their country and community of origin. In cases of forced migration, including displacement due to climate change and environmental degradation, protection is particularly important for the most vulnerable groups.

New generations of return and reintegration policy instruments, as well as temporary circular migration schemes, are too recent to be assessed; nonetheless, close cooperation within existing global, multilateral, regional and bilateral frameworks should be aimed at ensuring migrant protections and assistance, especially in times of economic slowdown and recession. The ACP Group of States’ political willingness to address these issues in a constructive way is demonstrated by the active participation in global fora as well as by the various declarations, summits, plans of action and resolutions issued at the ACP regions level.

The ACP Group of States aims to contribute to this Round Table by highlighting existing issues and gaps, lessons and good practices, by creating an environment that can promote migrants’ freedom of accumulation and the mobilisation of human, economic, social and cultural resources, and by proposing policies and programmes for policy makers at all levels.

2. BACKGROUND AND CONTEXT

Mobility between places, often for seasonal work, is an established human activity. The concept of circular migration refers to a continuity of this type of mobility, in a fluid or regulated environment with involvement of both destination and origin governments. The circularity of this movement implies a certain degree of freedom, yet not without costs.

Circular migration can involve both long-term foreign-born residents—those, for example, enjoying double citizenship who can easily move among them without restriction—and short-term migrants in search of temporary work opportunities. However, circular migration is often used as an equivalent of ‘temporary,’ ‘cyclical’ or ‘contract’ migration. Circular migration means that migrants are free to come and go, whereas other forms are more or less forced and managed types of temporary residence, which can be easily curtailed in times of economic downturn. The ACP Group of States promotes a liberal view of mobility, which first and foremost guarantees migrants’ rights to choose their place of residence and work within established legal frameworks, and also fosters the improvement of these frameworks to enhance mobility.

Current attempts to regulate this type of temporary circular mobility have yielded unconvincing results and mixed feelings: short-term visa holders often become unauthorised over-stayers or permanent settlers (with increased and often unaccounted social costs), whereas regularly settled migrants do not necessarily move back to the home country to establish new businesses, despite incentives. Research has shown that return programmes can only work if basic economic, social and political conditions are met in countries of origin. There is no point to promoting return if people have no clear perspectives for their lives in their countries of origin. This always leads to failure: people re-emigrate shortly after their return. When such perspectives exist, on the contrary, people do return, even without specific incentives such as in the well-known examples of India and China.

Circular mobility schemes are also debated in terms of national development strategies, the alleviation of unemployment by origin countries, and the reliance on a flexible and low demanding labour force by destination countries, with limited consideration of migrants’ needs and a lack of understanding of transnational family and community patterns. Also, a structural problem in this policy field is the unpredictability of economic crises, changing trade agreements, etc., which can dissolve notable migration management policy efforts and hold back circular migration agreements.

Furthermore, circular migration schemes are often associated with a “security” discourse and top-down migration management perspectives. The “Mobility Partnerships” like those signed by the EU and selected third countries contain a sort of ‘security’ clause: in exchange for substantial efforts in curbing illegal migration, third country governments are granted short-term visas for their nationals. The ACP Group of States emphasises that development aid in the form of migration management funds should, firstly, be negotiated within existing regional frameworks and not bilaterally, and secondly, should be untied from any kind of security clause and instead concentrate on eliminating the root causes of forced migration (such as trafficking, for example) and promote the migrants’ mobilisation of resources for development.

Effective circular migration can be a strategy to remove the barriers obliging migrants to remain indefinitely in the host countries. Measures securing residence status (dual citizenship, permanent or multiannual residence permits) are just some amongst the possible measures to operationalise the concept. The ACP Group of States encourages measures that move from a simple concern over brain drain and brain strain to improving the management of qualified workers in strategic sectors in a timely and collective fashion, by the governments of both sending and destination countries.

The ACP Group of States also recognises the importance that freer mobility has for the country of origin. Increased mobility enables stronger ties with the home country, whereas permanent settlements associated with family reunification loosen them, reducing the transfer of migrant capital (resources are no longer saved or remitted but invested in settlement mortgages and the education of children in the host country, for example). Eventually, social costs (family separations, children left behind, etc.) associated with long-term migration can be reduced with eased mobility. It is important to acknowledge that the duration of temporary working permits for the unskilled low-wage migrant worker is generally not sufficient to recover the investment in the migration project (or allow meaningful investment at home).

Reintegration and return migration are also posing important policy challenges. They are often used interchangeably. However, while return migration is frequently associated with failure—the inability of the labour market in the country of destination to meet the supply of migrant labour, and the inability of the individual migrant to find a permanent settlement solution that can guarantee long-term benefits to the family—reintegration is associated with success. Research shows that large-scale reintegration is closely correlated with increased political stability and economic expansion in country of origin. The ACP Group of States, recognising the importance of the development side of migration and acknowledging that migration increases gradually with development and only drops in later stages of development, underlines the importance of fostering dialogue with development partners to provide development aid that is more predictable and not tied to migration policies.

There is also another type of return migration, i.e. the forced or assisted (voluntary) return of persons that are caught without adequate documents and therefore are not authorised to stay in the destination country. In particular in the European Union, readmission of these nationals is at the core of the common return policy, which in turn determines the efficiency of the so-called global approach to migration and mobility. Return becomes the instrument used to secure the effective removal of unauthorised migrants and to fight against unauthorised migration and human trafficking. From the perspective of the ACP Group of States, return migration can therefore be a blessing, if migrants return after having accumulated human, economic, social and cultural resources that can eventually be mobilised for local development. However, it can also represent a heavy burden to judiciary and social security systems.

Given the current context, the ACP Group reiterates the need to establish the necessary capacity at the level of ACP States and Regional institutions, to address both the positive and negative effects associated with return migration and reintegration management. Initiatives such as the Intra-ACP Migration Facility established within the 9th EDF and expanded in the 10th EDF need to incorporate these issues in their agendas.

3. POLICIES AND PRACTICES

The policy rationale for improved mobility frameworks and the elimination of structural constraints is supported by available data. Affluent ageing societies are in dire need of population replacement: for example in the EU-27 plus Norway and Switzerland, the share of people aged 65 years or over in the total population is projected to increase from 17.1% to 30.0% between 2008 and 2060--or from 84.6 million in 2008 to 151.5 million in 2060--while the number of people aged 80 years or over is projected to almost triple, from 21.8 million in 2008 to 61.4 million in 2060.

The population replacement is already taking place with the inflow of migrants. In the past decade, 76% of the demographic change was attributed to migration. The economic contribution of migrants to destination countries has not been widely documented, but in the case of the European Union grouping, it is calculated that GDP growth without migrants would have been 0.23 points less per year during the 1995-2005 period.

However, despite the obvious need for population replacement, current integration frameworks in host societies of Northern countries are increasingly associated with assimilation, clashing with the new reality of transnational practices and new notions of identity and belonging (individuals developing a sense of belonging to more than one country and society). The notion of "integration" should then be replaced with the more comprehensive and neutral notion of social inclusion and its corollary of social cohesion. The validity of notions such as social inclusion and cohesion in relation to foreign-born populations is not fully acknowledged in current policy discourse.

Migration laws in most countries of destination rarely take into account the plans and projects of the migrants themselves. Admission and stay policies are generally devised to address national security concerns and domestic economic needs. Migrant workers are increasingly treated as a flexible, docile commodity that can be sent home in periods of crisis with no consideration of what might happen in the home country upon return.

INCLUSION, PROTECTION AND ACCEPTANCE OF MIGRANTS IN SOCIETY – LINKING HUMAN RIGHTS AND MIGRANT EMPOWERMENT FOR DEVELOPMENT

In this section of the paper, some experiences that can be replicated in other countries within the ACP regions and in other developed countries are presented. The examples, without attempting to be exhaustive, are presented to stimulate discussion and find suitable ideas that support the interests of ACP States and, most of all, individual people.

The main door to acceptance in a host society is inclusion in the labour market. Yet, there are numerous structural constraints, such as the bureaucracy and time required to obtain working and residence permits, limited information about migrants' needs, the failure to recognise migrants' study curricula and professional competences, and the attitudes vis-à-vis migrants that are found among local administrations and the general population. Measures to improve labour market access in the form of vocational training, both pre-departure and on arrival, appear to be successful. For example, in the Italian municipality of Forlì, the 'Integra' programme includes professional training for several types of jobs. Furthermore, beyond acquiring specific

vocational skills, immigrant job seekers learn how to write a CV, find a job on the Internet, contact an employer, respond to common questions asked in interviews, etc.

Integration in the labour market also requires a certain degree of confidence, especially for vulnerable groups such as women, refugees and newcomers. Holding advisory workshops, offering confidence-building activities, providing information on mainstream employment initiatives, etc., are core activities of the West Midlands (UK) Community Integration Partnership (CIP) project and the Belgian SIDE project (Service d'intervention directe sur l'emploi), which have also introduced migrant workers' skills audits and help with obtaining documents such as work permits and certificates of good conduct.

Recognition of academic and professional qualifications is another essential part of labour market inclusion. The phenomenon of brain waste among ACP nationals is not only a perception but also a reality. The ACP Group of States advocates the promotion of equal opportunities in accessing the labour market and the removal of hidden barriers. Amongst the possible range of policies and programmes that are proven to be successful, measures establishing formal study credit recognition between the universities of sending and destination countries are of paramount importance for individuals from the ACP Group of States. This approach is relevant for both South-North and South-South intra-ACP migration.

The process of diploma and study certificate recognition is equally important for those already working and living in destination countries. Efforts such as the Jesuit Refugee Service and Gulbenkian Foundation project in Portugal supporting recognition of the qualifications of immigrant doctors include activities such as courses at a medical school, a 4-9 month hospital internship, enrolment in the Portuguese Medical Council, and scholarships for participants. To overcome visa difficulties, the project developed special protocols with immigration services. Informal contacts with the Health Ministry and the Portuguese Medical Council also proved to be helpful.

To overcome difficulties associated with the formal recognition of professional qualifications, more flexible mechanisms for identifying, assessing and validating skills are being developed, including mechanisms that make migrants' assets visible (such as skills acquired in informal working settings, multilingualism, intercultural experience, flexibility and mobility), rather than their deficits, such as in the case of the InterCulturExpress project in Austria, the "Skill Assessment on the Job" and "Trial Opportunity" programmes in Sweden, and the "Stair Model" in Denmark. All combine language training with internships and on the job skill enhancement, and conclude with a formal certificate recognising previous and acquired competences.

Programmes specifically targeting qualified migrants that can demonstrate strong ties with the country of origin and become important drivers of companies' international expansion are also being successfully implemented. The FOREM Programme in Wallonia promotes the inclusion of qualified immigrants in local companies with commercial interests in the migrant's country of origin. This type of project also changes migrant worker perceptions vis-à-vis career paths, encouraging them to consider a broader range of professional options.

Programmes aimed at avoiding ethnic stratification of the labour market—which often concentrates immigrants in sectors with little vertical mobility—are also among successful experiences in destination countries. The role of mentors is pivotal in orienting young migrants' work careers, such as in the case of the "Migrants integrate

Migrants” project in Germany and the mentoring system used in France to open up a greater range of professional prospects for migrant youth.

Immigrant entrepreneurship is another important ‘track’ to labour market access with its own challenges and opportunities for inclusion, particularly for longer-resident migrants. Ethnic minority businesses are increasingly acknowledged as an important part of destination economies, and make an important contribution to job creation. Government authorities, immigrant and other NGOs, Chambers of Commerce, professional associations and other organisations play a very important role in analysing and developing business ideas and offering workshops and courses, for instance in bookkeeping, marketing or business law. Examples include the programmes carried out by the Swedish Association of Ethnic Minority Entrepreneurs with more than 4,000 ethnic entrepreneurs each year, or the financial services (small loans initiative) for self-employed immigrants sponsored by the Italian Cooperative Credit Banks (BBC).

In South Africa, social inclusion projects and policies providing information on citizens’ rights and access to microcredit for vulnerable migrants include the “Sisonke Savings Scheme” in Cape Town and the “Migrants Help Desk” in the City of Johannesburg. The first is the initiative of a local NGO, “Africa Unite,” which encourages citizens and refugees to jointly save modest sums of money that are subsequently invested in income-generating projects. The project has been scaled up with support from the South African Micro-finance Apex Fund (SAMAF), under the Department of Trade and Industry. The second is an initiative of the Municipality of Johannesburg, as part of the city’s 2004 strategy for social cohesion and human development, aimed at providing information to legal migrants, asylum-seekers and refugees regarding their rights, entitlements and access to services.

REINTEGRATION AND CIRCULAR MIGRATION – EFFECTIVE FOR DEVELOPMENT?

Reintegration and circular migration are two sides of the same coin. To make prospects for return certain and to make migration conducive to development in both destination and origin countries, a degree of freedom of movement back and forth needs to be assured. Flexibility and openness in the mobility system, such as longer and more flexible contracts, financial return incentives, options of re-entry, and free agency are advocated as some of the measures that can enhance the positive linkage between migration and development.

The ACP Group of States considers these measures of pivotal importance from the perspective of intra-ACP migration, and of special importance to assuring that migrants’ rights to mobility are guaranteed and accompanied by inclusion policies, as discussed in the previous sections of this paper.

Reintegration is mainly concerned with the return of migrants to the country of origin after a span of time spent abroad. The period of reintegration can be variable, usually short term if the migrant is bound to a temporary pro-development reintegration scheme such as the UK government’s programme that facilitates the temporary return of health professionals to Zimbabwe (TRHPZ), or definitive return if the mobility system does not allow for re-entry (permanently or for at least some years) as in the case of the Spanish Government’s return programme or New Zealand’s temporary workers’ programme for the Pacific Islands. In both cases, knowledge and understanding of the impact of reintegration on development is scant.

For highly skilled migrant workers, granting extended leave of absence allowing the flexibility to go back home for a period of time, transfer relevant skills and return to the destination country is an interesting option. For less skilled migrants, granting holidays in one single batch to allow for longer stays in the home country and justify the travel expenditure—such as the policy introduced by the Italian company Electrolux—has been an important alternative.

However, despite limited information and analysis about reintegration and circular schemes, there are a series of issues that are directly connected with the potential impact on the development of migrant countries of origin that are being explored in various geographical and political settings.

For example, a key feature for assuring reintegration and potential investments in the home country is the portability of social benefits. With respect to retirement pensions, existing seniority requirements (contributing into the system for at least a certain number of years to be entitled to receiving a pension) transform the contribution into a tax for workers such as seasonal migrant workers, who accrue only a few years of seniority. Nonetheless, good examples exist and should be further improved, such as the CARICOM Agreement on Social Security (CASS) signed by the member states in Georgetown, Guyana, on March 1, 1996. The agreement protects pension rights and provides equal treatment for select pension rights for workers moving between CARICOM member states. The benefits covered include contributory pensions for invalidity, disablement, old age, and survivor and death benefits, whereas short-term benefits (like maternity allowances or sickness benefits) are not covered. Instead, the broader Convention on Social Security in the OECS (Organisation of Eastern Caribbean States) covers both short-term and long-term benefits. Under this agreement, contributions regulated by the OECS convention on social security are always totalised, including cases in which the worker qualifies in one or more OECS member states. There are also bilateral agreements on social security signed between Caribbean states and the UK, Canada and Quebec. Yet, it is striking that there is no agreement between the US and any Caribbean country, despite the fact that the US is by far the main destination of Caribbean migrants.

In the European Union, third-country nationals enjoy full access to and portability of social benefits within the EU after no more than five years of residence. In the US and Canada, social security systems include provisions for international migrants. Exportability of the pension, though, is limited to persons who have resided in Canada for at least 20 years or in the US for 40 quarters of coverage (10 years). Once migrants qualify for the pension benefit, the pension is exportable to most countries in the world.

Given the weaknesses of the social security systems in ACP countries, current practices render migrants particularly vulnerable because they are partly or entirely excluded from the system. In Zambia, non-citizens must pay higher fees for education services. Nevertheless, there have been some attempts to address the portability of social benefits. Zambia and Malawi have signed an agreement stating that the Workers Compensation Fund in Zambia must identify a medical practitioner in Malawi to administer medical examinations or assessment for pneumoconiosis/silicosis among Malawian miners who worked in Zambia. As part of this agreement, measures to facilitate the remittance of monthly pensions through the Malawi High Commission in Lusaka are also being developed.

Within the SADC countries, agreements are also being pursued but they still do not cover public social security schemes. They are merely employer-based occupational arrangements such as deferred wages to be paid to the foreign national in the

sending country upon return to that country, allowances payable to family members, and monies paid into a welfare fund set up by the government of the sending country for the purpose of supporting migrants' reintegration into the home labour market. These arrangements, however, are still far from including desired features that would coordinate with regimes developed in other regions, such as the EU. For example, SADC has agreed on a Social Code that touches upon migrants' rights, encourages members to protect their immigrants, gives them equal access to the social security system, and offers at least basic protection to undocumented migrants. Nonetheless, the Social Code is not a legally binding agreement.

Home-based welfare funds such as those established by the Filipino, Sri Lankan or Bangladeshi Governments and funded by workers' contributions or recruitment agencies are other interesting options for ACP countries. These welfare funds provide a wide array of insurance for death and disability, assistance in forced repatriation in the event of illness, violence at work, contract violation or non-existent jobs, medical care for injured workers abandoned by their employers, and for conciliating disputes. In addition, the funds provide financial assistance to migrants' families at home for education and training, or for business and other activities. These are relevant intervention areas for all governments of ACP countries, which can benefit from the capacity building component of the Intra-ACP Migration Facility.

4. SUGGESTIONS AND PROPOSALS TO POLICY MAKERS

The following recommendations and suggestions are especially directed to policy makers in ACP regions and in countries of destination.

Recommendations for fostering the Inclusion, Protection and Acceptance of Migrants in Society

- Provide more data and analysis on migration, inclusion and integration dynamics in destination countries, to facilitate the work of staff from administrative structures and decision makers from local public institutions. Introduce intercultural competence as a criterion for the job descriptions, selection, training and evaluation of personnel in the social service delivery sector of destination countries.
- Support the participation of Diaspora organisations in formulating and assessing welfare policies, so they include the viewpoints of migrant communities and encourage informational campaigns that reduce stigmatisation and discrimination against migrant workers and their families. Promote measures that create the conditions for stable incorporation of migrant workers' families into the social fabric, eliminating negative reactions by public opinion.
- Introduce positive discriminatory labour market measures, such as fiscal incentives for companies employing foreign workers, especially women and refugees, and establish migrant worker quotas for companies with more than 25 employees.
- Introduce flexible mechanisms for recognition of study credits and of skills acquired in formal and informal working environments, through involving existing vocational and professional training centres that can certify skills; and, foster bilateral agreements between ministries of education and

professional training institutes for joint recognition of degrees. More thoroughly exploit existing student exchange programmes (ALFA, EDULINK, etc.) to achieve greater harmonisation of study curricula and credit recognition systems, and establish an “All-ACP Know-How Transfer Programme” that can help disseminate good practices from policies, programmes and innovations with a human development perspective.

- Promote ethnic entrepreneurship by means of providing flexible loans, and training courses on accounting, management and quality assurance systems.
- Eliminate restrictions on migrants’ access to justice, social rights (such as pension benefits, health benefits, and the like), proper and on-time wages paid in cash (as opposed to in-kind), safe workplace conditions, and affordable remittance channels. This should apply to both authorised and unauthorised migrants.

Recommendations for Enhancing Reintegration and Circular Migration Effectiveness for Development

- Expand research on labour market conditions in receiving countries. This is beneficial for both South-North and South-South migration flows, to help limit skills waste and improve information to potential migrants.
- Support the organisation of seminars and workshops about reintegration for migrants wishing to return temporarily or permanently to their origin countries, providing pragmatic information and tips about how to be successful upon return. At the same time, introduce incentives and premiums for stimulating the reintegration of migrants at home, such as salary increases and pension premiums (each year abroad counts as two or three when calculating pensions).
- Visas and permits should be issued to allow migrants to take jobs corresponding to their motivations and qualifications, to obtain an acceptable return from the investment in the migration project, and to change employers without losing the visa. Establish multiple entry visa systems for temporary workers, as a mechanism to reduce over-stayers and increase integration into the formal labour market.
- Ensure the universality, exportability and portability of welfare benefits for migrants, in particular workers’ compensation, severance payments, and benefits from provident funds, and also improve access to financial institutions.
- Identify brain strain hotspots, particularly where brain drain is undermining efforts to attain Millennium Development Goals and is damaging progress in poverty reduction strategies, and stimulate high-skills transfer mechanisms through measures such as extended leave of absence for professionals living abroad, and ad hoc research programmes on topics of relevance for ACP states (endemic diseases, HIV/AIDS, appropriate technologies) involving Diaspora professionals.
- Establish national monitoring systems of ethical recruitment practices in strategic sectors, and target investments in social sector professional training programmes to satisfy local needs, first and foremost, as well as foreign demands for expertise.

5. CONCLUDING REMARKS

All of these activities manifest the ACP Group's commitment to addressing the critical issues of increased mobility and inclusion of migrant workers and their families in relation to development policies for the benefit of all. We are convinced that our close collaboration with the Governments and International and Regional Organisations present at this Forum, and with the European Union, will result in policies and programmes that are in the interest of all parties involved, and most importantly, all of our peoples.

To guide the Round Table discussion, the Secretariat of the ACP Group of States puts forward the following three questions:

1. Do national policies in migrant-receiving countries fit well with new migration patterns, population ageing and changes in migrants' sense of belonging? What should be done to relax non-convergence between national policies and economic interests?
2. Does recognition of migrants' education and skills close the gap between immigrants and natives in the labour market? What role do racist and xenophobic attitudes and discriminatory practices play in the labour market?
3. How can circular migration be fully functional and go beyond the simple liberalisation of movement and include social security portability? What measures related to South-North and South-South migration flows would be more useful for making reintegration and circularity more effective?

