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Migration in the Mediterranean Basin: Bridges and Margins



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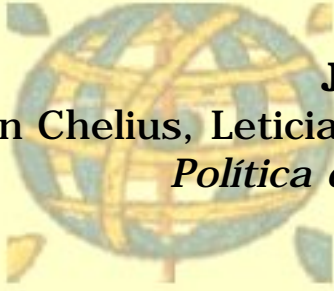
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[TOPO](#)

MEDITERRANEAN MIGRATIONS: REGIONALISMS VERSUS GLOBALISATION

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Abstract—This paper challenges the claim of globalisation as a cause of immigration into Southern Europe and, on an empirical basis, identifies regionalisation as being the primary issue, along with networked migratory patterns. However, the changing patterns of immigration do present challenges to both state and society. It is argued here that recent policy responses in Portugal, Italy and Spain have been inconsistent and irrational – reflecting more the ‘securitisation’ of migration than European reality. Earlier policy innovations are identified, by country and date: most of these have now been abandoned. It is suggested that all of Southern Europe has converged onto a statist, restrictionist model of immigration control that was formerly held only by Greece. The principal characteristics of this model are outlined, along with a migration flowchart and indicative data for migrant flows and sub-flows in Italy and Spain. In the final section, I try to show that the needs of the economy cannot be predicted, immigration cannot be controlled in the manner currently being enforced across Southern Europe, and attempts to do so will damage rather than improve economic productivity and growth. The concept of an accommodatory immigration policy is advanced, whereby the state tries to manage the needs of both employers and potential migrants. Six guidelines for policy development are suggested – most of which have already been successfully carried out in the European Union. These are the following: migration in order to find a job; circular cross-border migration; EU level negotiation of readmission agreements; the need for a variety of migration-for-employment schemes; legal residence should not depend upon continuity of employment; and discreet legalisation will still be needed in Southern Europe.

Key words: Southern European immigration policies, regionalisation, globalisation.

Palavras-chave: políticas de imigração sul-europeias, regionalização, globalização.

Despite the grandiose claims of writers such as Sassen (2000) and Castles and Davidson (2000), identifying globalisation as an explanation of migration patterns, there has been little overall increase in global migration but rather, changed patterns impacting on certain regions (Tapinos, 2000). Traditionally, migration into the Mediterranean has tended to focus on the North-South flows within the Basin: recently, new flows have had to be accommodated whilst the older type flows continue. The argument contained in this paper is along the following lines:

- 1) That new migrations have made the Mediterranean region more complex and created new management problems – not only of migration, but also of international relations. The nature of immigration into Southern Europe is now a remarkable mix of nationalities and skill levels, only some of which could be considered part of a globalisation process;
- 2) That Southern European policies have lurched back and forth incoherently, reflecting underlying ambiguities, confusion of policy objectives with policy mechanisms, and an overall statist mentality inappropriate to the situation. Much of policy formulation in the last two years seems to have its inspiration in the US paranoia about terrorism: thus the recent policy changes are more ideology-based than pragmatic solutions to problems;

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- 3) That the latest policy outcomes across Southern Europe seem to have converged onto a common model, which approximates the Greek case – where little or no policy innovation has occurred in this area, and the result has been far from successful. This common model seems to have been derived partly out of the ‘security’ ideology, and partly from conformism with European/Schengen trends. However, the features of this model seem likely to only promote illegal migration, retard the integration of long-term migrants, and to be very costly in both financial and social terms;
- 4) Finally, a policy solution is outlined, which follows a now-conventional view of the usual regulation of capitalist markets: that states cannot control migration, they can only manage it. Thus, government policy should accommodate market supply and demand relationships through a new flexible arrangement, rather than the old statist work permit approach. No state now has the capacity to predict labour market needs, or to react quickly to them: therefore, more open border policies are essential in the proper management of migration. Such a policy needs to be located in a regional or global framework, as it cannot easily be negotiated on bilateral bases.

In pursuing this argument, I have adopted the following structure for the paper: first, a brief discussion of globalisation versus regionalisation, along with evidence for the Southern European countries; secondly, an outline of the policy approaches across Southern Europe in the last decade, and in particular their previous innovations; thirdly, a common model is advanced, with an explanatory diagram; and, finally, I propose a framework of accommodating migration policies, and some suggestions on how their successful negotiation and implementation might be achieved.

Globalisation, regionalisation or networks?

The claims of globalisation proponents that increased migration flows are the accompaniment to increased capital and information flows are hardly sustained by empirical evidence: rather, it seems that Europe has been the specific recipient of increased types of flows. Here, I present a tripartite categorisation of migration flows, devised to test the claims of globalisation theorists. The three categories are:

- 1) *Regional migratory movements*, defined as adjacent or proximate source and receiving countries, with no strong tradition of such flows. Such migrations could be cross-border or pendular;
- 2) *Global migratory movements*, defined as long-distance migrations, probably temporary in nature (e.g. refugees or economic migrants);
- 3) *Networked migration*, defined as migratory movements following previous patterns, e.g. through colonial ties, family migration, bilateral country links, etc.

It will be noted that these migratory types are independent of legal form and of the mechanism of the migration itself; rather, they tend to focus implicitly on the personal costs and ease of migration.

Generally across Europe, there is little evidence of globalisation except in the case of the UK. Regionalisation, on the other hand, is a normal European pattern, along with networked migration. Looking at the Southern European countries, the following distribution of principal nationalities shown in Table 1 allows for some conclusions.

Table 1— Dominant nationalities in Southern European countries, ranked

Nationality Ranked	Portugal		Spain	Italy	Greece
		Residence permits 1999	Including permit to stay 2001	Residence permits 2001	Residence permits 2000
	EU regime*	EU regime*	EU regime**	Morocco	Albania
	Cape Verde	Cape Verde	Morocco	Albania	Bulgaria
	Brazil	Brazil	Ecuador	Romania	Georgia
	Angola	Ukraine	Colombia	Philippines	Romania
	Guinea-Bissau	Angola	China	China	USA
	USA	Guinea-Bissau	Peru	USA	Cyprus
	Sao Tome	USA	Dominican Rep.	Tunisia	Russia
	Mozambique	Moldova	Romania	Senegal	UK

* All migrants covered by EC law.

** Predominantly EU nationals but also including some 72,000 third country nationals.

Source: Data from national statistical institutes. Portugal: Peixoto (2002); Spain: RAXEN (2002); Italy: ISMU (2002); Greece: own calculations from national database (2001).

For Portugal, the dominant pattern is of networked migration, but with the arrival of Ukrainians and some other Eastern Europeans in recent years – which might be considered either global or regional migrations. For Spain, there is a mix of regional (Morocco), networked (Peru, Ecuador, Colombia) and some global (China) migrations. Italy has predominantly regional (Morocco, Albania, Tunisia, Senegal, Romania) but also some global (USA, China) and some networked (Philippines) migrations. For Greece, it is again regional domination (Albania, Bulgaria, Georgia, Romania), with some networked (Cyprus, Russia) and some limited global (USA, Pakistan) migrations.

Thus, for all except Portugal, the dominant migratory flows seem to be regional, with significant but variable extents of networked migration, and relatively little global migration. This indicates a complex picture, where a ‘one size fits all’ policy is unlikely to be helpful.

Policy approaches

Although almost all European countries have undertaken regularisations of illegal residents, in various ways and at different times, it is in Southern Europe that this policy instrument is most important. In fact, so few immigrant workers were recruited by legal means in Portugal, Spain, Italy and Greece, that something around 80-90% of legally present Third Country National workers are legal solely because of regularisation programmes. Moreover, the non-application rate for Italy’s various legalisations is estimated at 20-60% (Brucker et al., 2001: 16); in Spain, the non-renewal rate of immigrants legalised in 1992 was estimated at around 50% by 1995 when their two-year permits had expired (Mendoza, 2000: 7). In Greece, the ratio of legal to illegal workers, at any one time, is estimated as varying between 1:3 and 1:6 (Baldwin-Edwards, 2004). Thus, the absence of legal labour recruitment in Southern Europe has resulted in legalisation programmes constituting the principal policy mechanism; we might also add that this policy failure has been an important part of the expansion of the informal sector in these countries, staffed increasingly by illegal immigrants (Baldwin-Edwards and Arango, 1999).

Despite the variety, and limited success of innovative policy in Portugal, Spain and Italy – all of those innovations have now been overturned. In particular, we should note the following:

- Multiple and flexible visa arrangements (P, 2001 law)
- Stay permit – via a continuous legalisation process (P, 2001 law; Es, law 4/2000)
- Sponsored migration for employment search (I, 1998 law)
- Duties of state agencies in dealing with applications, e.g. time frame, grounds for refusal, etc. (P, 2001 law; Es, law 4/2000)
- The right to family reunification (I, 1998 law)
- Rights of illegal immigrants (Es, law 4/2000)

Most of these have now been removed by subsequent legislation. Since the September 11 terrorist attacks, Southern Europe has become obsessed with a security paradigm that has little to do with European reality (Bigo, 2002). The one Southern European country that has attempted no innovative policies, and actually failed to maintain even a semblance of order in managing its immigrant population, is Greece. The lack of legal channels for entry, now well established as a principal cause of illegal immigration across Europe (Scanlan, 2002), was accompanied by poor border and internal controls, and no legalisation programme until 1997. The situation remains highly unsatisfactory even today, with the threat of mass deportations – despite the opinion of the Ombudsman that these may be illegal – and immigrants left in limbo, between legality and illegality.

Thus, it seems somewhat strange that the rest of Southern Europe should have adopted a model of immigration that broadly resembles the Greek one. The model emphasises the integrity of national borders, places severe restrictions on the number (quota) of immigrants potentially to be admitted, requires employment contracts before entry, gives out mainly short-term permits, and increasingly undercuts any rights which immigrants might have in law. This model also is increasingly reliant upon expulsions without legal process, in order to solve the problem of illegal residents. Until now, Greece has been the only EU country that regularly expelled large numbers – typically 150-270,000 expulsions per year.

Below, I identify the main characteristics of contemporary immigration control in Southern Europe.

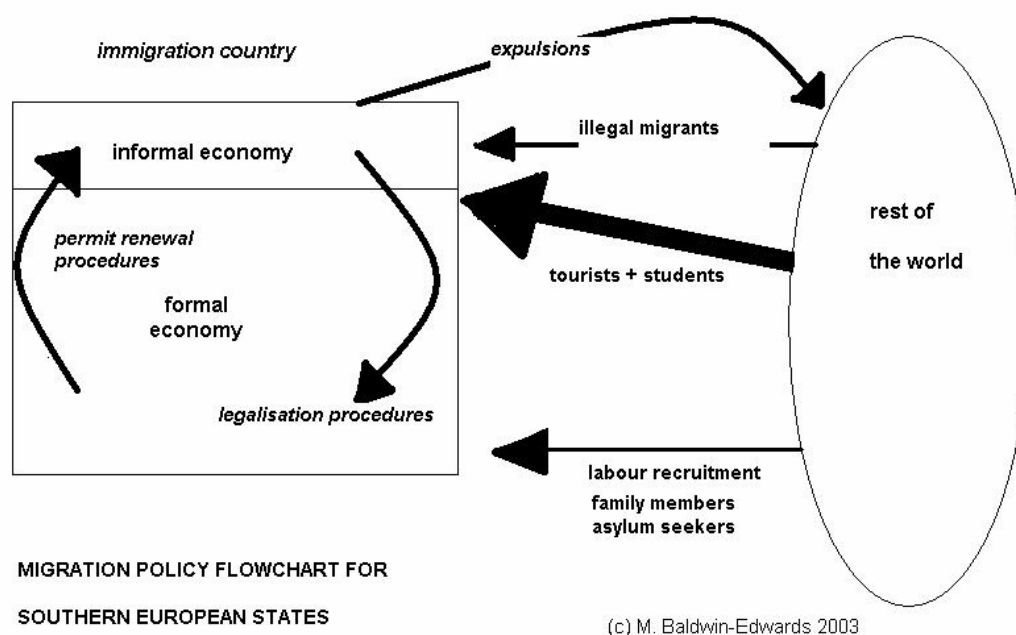
Figure 1—Characteristics of the new Southern European immigration policies

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| <ul style="list-style-type: none"> • <u>Pre-entry authorisation</u> in foreign consulate with guaranteed job (under quota set by the Labour Ministry) • <u>Short permits</u> (1 or 2 years) • <u>Continuous employment</u> needed to renew permits • <u>Reduction or removal of many legal rights</u> (e.g. in Spain, new law requires judges to expel immigrants charged, not convicted, with a crime carrying a prison sentence; also in Spain, expulsion of immigrants with permit applications; in Italy, expulsion of applicants for legalisation if their applications were not accepted) • <u>Aggressive police and other measures to detect illegal immigrants</u> (in Spain, use of airline data on unused return tickets; Spanish deal with IOM to involve NGOs in reporting illegal migrants), along with attempts to expel more migrants • <u>More secure borders</u>, new technology, more helicopters, personnel and training. Also coastguard patrols (Es, P, I and UK) – failed and expensive. Costs very high, e.g. Greece spent €600m in 2002 on border measures. • <u>More readmission agreements</u> with sending countries, and very recent attempts to make sending countries construct an <i>emigration policy</i>, preventing departures. |
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If we consider how this immigration policy model operates, in terms of flows, the following diagram (Fig. 2) proves useful. In Figure 2, I try to show how migration flows

interact with the formal and informal economy of the host country.² Thus migrants can enter the formal economy only as legally recruited labour, and in some cases as beneficiaries of family reunification; asylum seekers are generally denied the right to work, but in any case are very small numbers in Southern Europe. The principal source of black economy workers is provided by the very large flows of tourists (along with ‘students’, in much smaller numbers). Thus, overstayers and others illegally working constitute the greater part of the immigrant black economy participation. Illegal migration itself seems to be important with two regional migrant groups – Albanians and Moroccans – who are more likely to have entered without a visa. Only in the case of Greece, where Albanians constitute some 65% of non-EU immigrants, is the illegal migration route a normal pattern of labour market incorporation.

Fig. 2—The new Southern European immigration policy



There are a limited number of policy options for the state’s response to illegal migrants in its economy. These are:

- Toleration of their illegal presence and employment;
- Attempts to coerce them into legality; and
- Expulsion from the territory.

In practice, every country uses a combination of all three instruments, but with rather different emphases. Greece has been the outlier, with **expulsion** and **toleration** uneasily co-existing as the main policy, although since 1997 some **legalisation** attempts have been made. Spain, Portugal and Italy have relied more upon a mix of **legalisation** and **toleration**; more recently, they have been trying to develop **expulsion** as a serious option.

In Figure 2, these policy options are shown in a cyclical pattern, which I believe to more accurately represent reality. Legalisation attempts have a short-term effect, because all

² For a detailed analysis of this, see Jahn and Straubhaar (1999).

southern countries favour short-term statuses; the requirements laid down for renewal of permits – continuous employment, complete social insurance contribution records, various other bureaucratic demands – along with bureaucratic ineptitude in processing applications, push the legalised migrants rapidly back into illegality. This is represented by the circular arrows in the left-hand box.

Migration flows also have something of this cyclical pattern, if expulsions and deportations are used significantly. Thus far, only Greece has exhibited this aspect of the model, but other southern countries are attempting to emulate it.

Empirical data in the flowchart

The strongest single piece of evidence has been revealed only recently by the Spanish government (MNS, Aug. 2003). Using annual data of arrivals and departures of non-residents, by nationality, they conclude that in 2002 some 460,000 South Americans did not leave Spain, and some 680,000 Africans remained illegally. If correct, these data show conclusively that legal entry is the normal pattern of illegal migration. However, the figures given for visas granted over one year are absurdly high (18 million!) and at odds with data obtained for the previous year. Below, I give some approximate data for Italy and Spain, 2001-2002, which demonstrate the continuing informality of labour recruitment, migration flows, and labour market participation. They also suggest the circularity of the legalisation processes, and the consequences of restrictive granting of permits.

Table 2—Statistical data for migrant flows/processes in Italy and Spain, 2001-2002

		ITALY	SPAIN
INFLOWS	Total visas	1,000,000	670,000
	Tourism or study	n/a	150,000
	Recruited labour	65,000	13,000
	Illegal entry detected	31,000	16,000
OUTFLOWS	Expulsion orders	58,000	22,000
	Orders enforced	21,000	3000
ILLEGAL STATUS	Regularisation applicants (latest data)	700,000	615,000
	Permit renewal applicants	n/a	335,000
	Estimated no. undocumented	800,000	460,000

Sources: MNS (various); ICMPD (2003); Statewatch (2002); Sciortino and Pastore (2002)

Towards a policy framework

The dominant mode of immigration management, i.e. pre-entry authorisation through employment, or through labour quota agreements, have been shown to be ineffective and unable to respond to market demands – either from employers or migrants looking for work. The state is unable to predict labour market needs, owing to information deficit, a rapidly changing economic environment, and slow, inefficient bureaucratic processes. In reality, the informal sector exists largely because of the labour market control mechanisms of Southern European state systems. Two recent problems stand out as being indicative: in Spain, the recruitment quota was set too high (apparently because they forgot that recently legalised immigrants were more likely to fill vacancies); in Italy, pensioners demonstrated against Berlusconi's immigration restrictions, as they needed to employ immigrants for elderly care and other domestic services. Thus, Italy now has the biggest legalisation ever undertaken in Europe, with 700,000 applicants.

Bilateral agreements to return illegal migrants have proven less than effective, especially as the EU has to date not concluded any readmission agreements with a significant sending country. More recent attempts to coerce, even pay, sending and transit countries to control *emigration* seem to be more successful: however, the implications of this have not been talked through. One of the fundamental policies of the former Communist bloc was the prevention of emigration by their nationals, by means of the 'Iron Curtain': is this now Europe's own policy, to recreate an Iron Curtain with neighbouring countries?

For Bhagwati, it is evident that "borders are beyond control and little can be done to really cut down on immigration" (2003: 99,104). He also adds that governments should reorient their policies from trying to stop migration towards coping with it. To this we might add, that given the neo-liberal emphasis on market forces with movement of capital and goods, in the context of stagnant European economies and market rigidities, relatively free movement of workers is likely to assist Europe's economic recovery. Protectionism has been successful only as a short-term policy for long-term objectives: this hardly seems true of immigration restrictions. Thus a radical shift is needed in the management of immigration – away from the security and control paradigm of right-wing politicians and towards economic development in both the first and third worlds. I make some preliminary suggestions below.

The following broad outline of policy is suggested here:

- 1) Abandonment of labour recruitment, except for skilled professionals and seasonal unskilled workers. The unskilled sector, which is the major part of immigration into Southern Europe, is currently being filled by illegal migrants. The state can neither predict, demand, nor respond rapidly to it, therefore it should adopt an accommodatory policy. This is most easily achieved by allowing migration for job seeking, within certain conditions;
- 2) There should be a facilitation of non-EU cross-border movements, so that temporary workers and seasonal workers can look for employment, and return to their home country if they fail to find such (circular migration). The current policies force migrants to stay longer in the receiving country, and may actually create permanent migrants owing to the difficulty of return even to nearby countries;
- 3) The negotiation of agreements should not be done at a national level. The negotiating power at this level is too weak, and it requires a regional collaborative agreement to satisfy all parties. The asymmetrical structures set up by the EU have seriously damaged intra-Mediterranean relations, and the Barcelona Process has offered almost nothing to North Africa. The Berne Process, which was started in 2001, looked to be a serious attempt to consider new international regulation of migratory movements;
- 4) There should be a variety of migration-for-employment schemes, enabling individuals and employers to choose the most appropriate. The primary consideration should be of employers' needs, whilst recognising international and domestic legislation of workers' and migrants' rights;
- 5) Legality should not be contingent upon continuous employment, which is an unrealistic aim even for the native workers in modern labour markets. Rather, it should be linked to objective criteria of job search and time limits on such; and

- 6) Illegal migrants and workers will still continue, not least because of the large informal economies in Southern Europe. Concealed legalisations (the “Contingente” in Spain) have proven far more effective in managing the problem, as they do not attract subsequent illegal migrants through the publicity. Proper policy management should hardly be visible, instead of the regular fiascos that are observed across the region. However, the fight against trafficking is now a serious issue, largely caused by poor policy in the last twenty years. Legal routes to migration will cause the most damage to traffickers, and begin to rectify the balance needed for a rational and humane approach to migration.

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