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**Migration partnerships:  
new tools in the international migration debate**

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## **Global Commission on International Migration**

In his report on the 'Strengthening of the United Nations - an agenda for further change', UN Secretary-General Kofi Annan identified migration as a priority issue for the international community.

Wishing to provide the framework for the formulation of a coherent, comprehensive and global response to migration issues, and acting on the encouragement of the UN Secretary-General, Sweden and Switzerland, together with the governments of Brazil, Morocco, and the Philippines, decided to establish a Global Commission on International Migration (GCIM). Many additional countries subsequently supported this initiative and an open-ended Core Group of Governments established itself to support and follow the work of the Commission.

The Global Commission on International Migration was launched by the United Nations Secretary-General and a number of governments on December 9, 2003 in Geneva. It is comprised of 19 Commissioners.

The mandate of the Commission is to place the issue of international migration on the global policy agenda, to analyze gaps in current approaches to migration, to examine the inter-linkages between migration and other global issues, and to present appropriate recommendations to the Secretary-General and other stakeholders.

The research paper series 'Global Migration Perspectives' is published by the GCIM Secretariat, and is intended to contribute to the current discourse on issues related to international migration. The opinions expressed in these papers are strictly those of the authors and do not represent the views of the Commission or its Secretariat. The series is edited by Dr Jeff Crisp and Dr Khalid Koser and managed by Rebekah Thomas.

Potential contributors to this series of research papers are invited to contact the GCIM Secretariat. Guidelines for authors can be found on the GCIM website.

## **Introduction**

This article argues that innovative tools need to be introduced in the migration debate to increase the room for manoeuvre of governments in dealing with global migration, one of the main challenges of our time. Explorative measures such as the development of migration partnerships can help to bridge the gap between the interests of the countries of destination and the source countries, helping to develop a spirit of “give and take”. Although preliminary project findings are encouraging, additional practical experience is needed to assess the effectiveness of such partnerships as a policy tool.

## **Swiss migration policies**

In the past few years, Switzerland has elaborated the basic principles and priorities of its migration policy and is now fine-tuning these. This concerns the following in particular the Swiss federal law on asylum, which came into force on 1 October, 1999. Subsequent developments, and in particular the European Union’s increased efforts to harmonise internal policy with regard to asylum called attention to the need for further adaptation on the part of the Confederation. The most important aspects of the revised law on asylum, which recently had its first reading in parliament, are the so-called “third country” regulations (facilitated return of asylum seekers from countries viewed as safe and secure), alternative measures in the case of returns that cannot be enforced (improved legal status for persons admitted on a provisional basis) as well as a new approach in the area of social assistance (reduction of state administrative expenditures).

There is also urgent need to make further amendments to the federal law on foreign nationals, which dates from the year 1931. These are intended to regulate in particular the admission and length of stay of citizens of non-EU/EFTA member states who are not viewed in an asylum context. The migration of citizens of EU member states is regulated by the bilateral agreement with the EU on the freedom of movement of persons. Furthermore the principles and objectives governing the integration of foreign nationals are fully covered by legislation. Finally, measures are planned to combat the abuse of existing legislation (smuggling, black market labour and pro forma marriages).

Switzerland has made use of bilateral negotiations with the European Union (Bilateral II) to increase the level of co-operation with the Community in the context of the Schengen and Dublin agreements. The aim of Schengen is to phase out identity checks on citizens on borders within the EU while introducing measures to improve security, including cross-border police co-operation. In the context of the Dublin agreement a single country takes responsibility for the asylum process on behalf of the entire EU, in an effort to prevent asylum seekers from trying their luck in each country.

Finally, Switzerland supports the independent Global Commission on International Migration (GCIM) launched by the Secretary-General of the United Nations, as well as the Berne Initiative. These two processes aim at developing global standards and principles in the international migration debate.

## **The national versus international view**

Significant development trends in the migration debate in Switzerland have included a more stringent examination procedure for asylum seekers, greater efforts to prevent irregular migration, the promotion of integration, a general effort to take pressure off the asylum system, closer co-operation with the institutions of the European Union and a commitment to the development of global standards and principles.

One of the main difficulties is that the public is primarily aware of the problematic aspects of migration such as the difficulties of integration and violations of the penal code involving foreign nationals. Policy responses to the public perception includes: reinforcement of internal defensive measures – such as withdrawal of any support for asylum seekers who are clearly without justification – as well as external measures including possible reductions in development cooperation funds for countries which do not readmit irregular migrants.

The ever greater focus on national interests at the political level is another complication. It is too easy in a national context to limit discussion of migration policy to the question of asylum, or worse still to the question of repatriating asylum seekers whose applications have been rejected.

Actions by governments often concern specific sectors, involving primarily decisions regarding policy on foreign citizens, asylum, Europe and the economy – all of which are dealt with at the international level by the federal departments who define their own interests and priorities. Depending on the interests in question, however, this piecemeal approach can lead to inconsistency in government policies.

For example, defensive measures may be adopted on the asylum question, such as an even stricter ban on jobs for such people, even though efforts are being made at the same time to recruit workers for such labour-intensive branches of the economy as construction, hotel and catering, agriculture and social services, in particular, in a context of economic recovery or in consideration of the long-term demographic development of our society.

Moreover, there are obstacles at both the legal and administrative levels. There is still no law on migration and still no centralised administrative unit to deal with the various aspects of migration, including peace, development, the economy, international law, bilateral relations, etc. Switzerland needs to expand the body of policy instruments needed to achieve its migration policy objectives (increasing prosperity through controlled growth in available manpower, solidarity with refugees in accordance with Switzerland's humanitarian tradition, and the maintenance of internal security).

A truly global view of the issue would have to take into account the real dimension of the problem on the basis of well-known statistics. Of the 175 million migrants worldwide only 12 million qualify as refugees. And yet we have an international system to deal with refugees and none to deal with migration and with internally displaced persons (25 million worldwide). Moreover, only a small proportion of the refugees are found in Europe, and the number in Switzerland is smaller still – about

20,000 asylum seekers a year, a figure which has fallen significantly of late. The proportion of rejected asylum seekers who do not return home is even smaller.

These numbers and ratios contrast dramatically with our political priorities and the allocation of resources. Switzerland spends about SFr1 billion on its 20,000-odd asylum seekers. This sum is roughly the same as the Office of the UN High Commissioner for Refugees can count on to carry out a mandate that requires it to protect one thousand times as many people. Only a small amount of Switzerland's asylum-related spending is for repatriation, capacity building in the countries of the South and measures to prevent migration.

Furthermore, Switzerland devotes only about SFr100 million to the promotion of peace, and only a tiny fraction of that sum on conflict prevention. And yet migration experts have pointed out time and again that in recent years asylum seekers in Western Europe have come primarily from countries suffering from war, mass expulsions and human rights violations (the Balkan states, Iraq, Afghanistan).<sup>1</sup>

People fleeing from violence, poverty, chaos and a bleak future prefer even the slimmest chance of earning a living in the rich countries of the North to the prospect of a return to the abject want and misery of their homeland. Moreover the readiness of the countries in which rejected asylum seekers originate to co-operate in the return of their citizens is often limited, despite their obligations under international law.

This is of course easy to understand when one bears in mind that their citizens who live and work abroad are able to make substantial contributions to the economies of these countries. The portion of wages transferred by such people has surpassed the total amount of public development aid worldwide, which is around \$50-60 billion. In less than a decade remittances have climbed from \$70 billion p.a. to \$100bn p.a.

The prosperity of Switzerland and other European countries, our political and economic stability and security, our need to recruit less qualified workers, the very few opportunities for legal employment available to the citizens of countries outside the EU/EFTA region (and the problems associated with black market labour) as well as the large number of foreigners already established here are all factors which help to keep Switzerland and Europe attractive as a destination for asylum seekers.

A unilateral defensive policy that gives priority to coercive measures against rejected asylum seekers is not the magic formula for success. On the one hand, there are certain legal limits including our international obligations under the various conventions on human rights and refugees. And on the other, coercive repatriation inevitably runs into capacity limits. In this context it is worth noting that about two thirds of rejected asylum seekers disappear into thin air and no longer appear in the official statistics as "migrants without documents", possibly leaving Switzerland for unknown destinations.

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<sup>1</sup> See in particular the publications of the Refugee Studies Centre of Oxford University, UK, in this context.

## **Migration partnerships**

Another policy area, which in recent times has moved away from purely defensive state measures, is drug policy. The resolutions on drugs of the United Nations General Assembly of June 1998 made education, prevention and therapy just as important as repression in the area of drugs policy. International criticism of the Swiss heroin programme, at times very severe, has become increasingly muted in recent years, the success of such a policy having in the meantime become clear for all to see. The people of Switzerland voted with large majorities in several referenda in favour of this even-handed use of multiple policy instruments by the government. There is just as urgent a need for allowing the government a freer hand in the area of migration policy.

### *Expanding the scope of action*

Migration is a complex worldwide phenomenon. It is certain to exert ever greater pressure for as long as those who are potential migrants find it difficult to sustain life in their homeland or to provide the security their families need.

Development cooperation and its many instruments, such as capacity building, advice on good governance, as well as steps towards trade liberalisation, are the most appropriate ways to deal with the real causes of migration in the long term (preventive measures). Today, on the other hand, our attention should be focused on the problem of uncontrolled migration primarily because it undermines the sovereign right of states to enforce their own immigration regulations. From the point of view of asylum policy and domestic policy and with a view to preventing abuses the corresponding measures are therefore taken (defensive measures).

Switzerland is in any case dependent on migration for economic as well as demographic reasons. Due to the lack of a comprehensive migration policy many foreigners follow the path of the asylum seeker as the only possible way of entering Switzerland. Immigration often takes place in the form of asylum which is thus increasingly abused, while on the other hand migration policy does not yet make sufficient use of the room for manoeuvre allowed by innovative policy instruments, e.g. migration partnerships (explorative measures).

Achieving a successful migration policy today means trying to find the right balance between the various strategies built on preventive and defensive measures as well as targeted, limited and closely monitored efforts to use policy instruments that are still in a phase of development. All three strategies are important, and international co-operation is crucial in each case. No government can hope to solve the migration problem on the basis of a purely national, inward-looking strategy.

### *Towards a partnership approach*

In today's globalised world the challenges posed by global migration can only be met through dialogue and partnership between states which are at one time or another destination, transit or source countries of migrants. For Switzerland, active

international co-operation is important, in particular with the European Union and its member states. Since the Convention of Amsterdam took effect on 1 May 1999, a whole series of measures has been adopted within the EU in an effort to create a common policy throughout the Community with regard to asylum and immigration.

The European Union's position in the migration debate also includes elements of an approach based on partnership. In exchange for co-operation in the repatriation of migrants, it provides support for measures to combat the long-term causes of irregular migration, particularly through increased development cooperation as well as structural assistance in migration-related areas of judicial and police work. A sum of about €250 million has been made available for the 2004-2008 period. Since the European Council meeting in Thessalonica (June 2003) moreover the possibility of opening legal channels to immigration, including access to the European labour market, is also being studied.

Switzerland for its own part has sought ways and means to make foreign policy instruments useful in the context of an all-embracing migration policy strategy, in particular with the help of an Interdepartmental Working Group on Migration that reported to the Departments of Justice and Foreign Affairs. It became clear that Switzerland's declared long-term objective is to work with the states that are source and transit countries of migrants to find solutions based on partnerships, i.e. to develop genuine migration partnerships<sup>2</sup>.

#### *A preliminary definition*

The idea of migration partnership is to strive for a fair and balanced weighing of interests in dealing with the problems which emigration, immigration and the return of migrants cause in the states concerned. Some of the instruments needed to achieve the objectives set must still be developed. Migration partnerships are thus unlimited both in their time frame and in their approach to the subject.

Possible elements of migration partnership include projects and programmes with migration policy components such as conflict transformation programmes, e.g. demining and combating the illegal proliferation of small arms; training and equipping customs, police, and migration officials; the reintegration of returnees, e.g. programmes for the voluntary return of victims of trafficking in persons; programmes to limit migration-related outbreaks/spread of HIV/AIDS; educational programmes in states that are either source or destination of migrants; job placement in the partner states; ways to facilitate remittances to source countries; strengthening institutions and facilitating the institutional processes, e.g. initiatives to promote the respect for human rights and international humanitarian law. It is important that such projects and programmes are not carried out in isolation but rather as a part of an overall context of improved migration management.

Migration partnerships develop in very different ways – in part due to the wide variety of issues involved in migration questions, but also depending on the country. They take shape slowly through continuous co-operation. The aim is not so much to bring

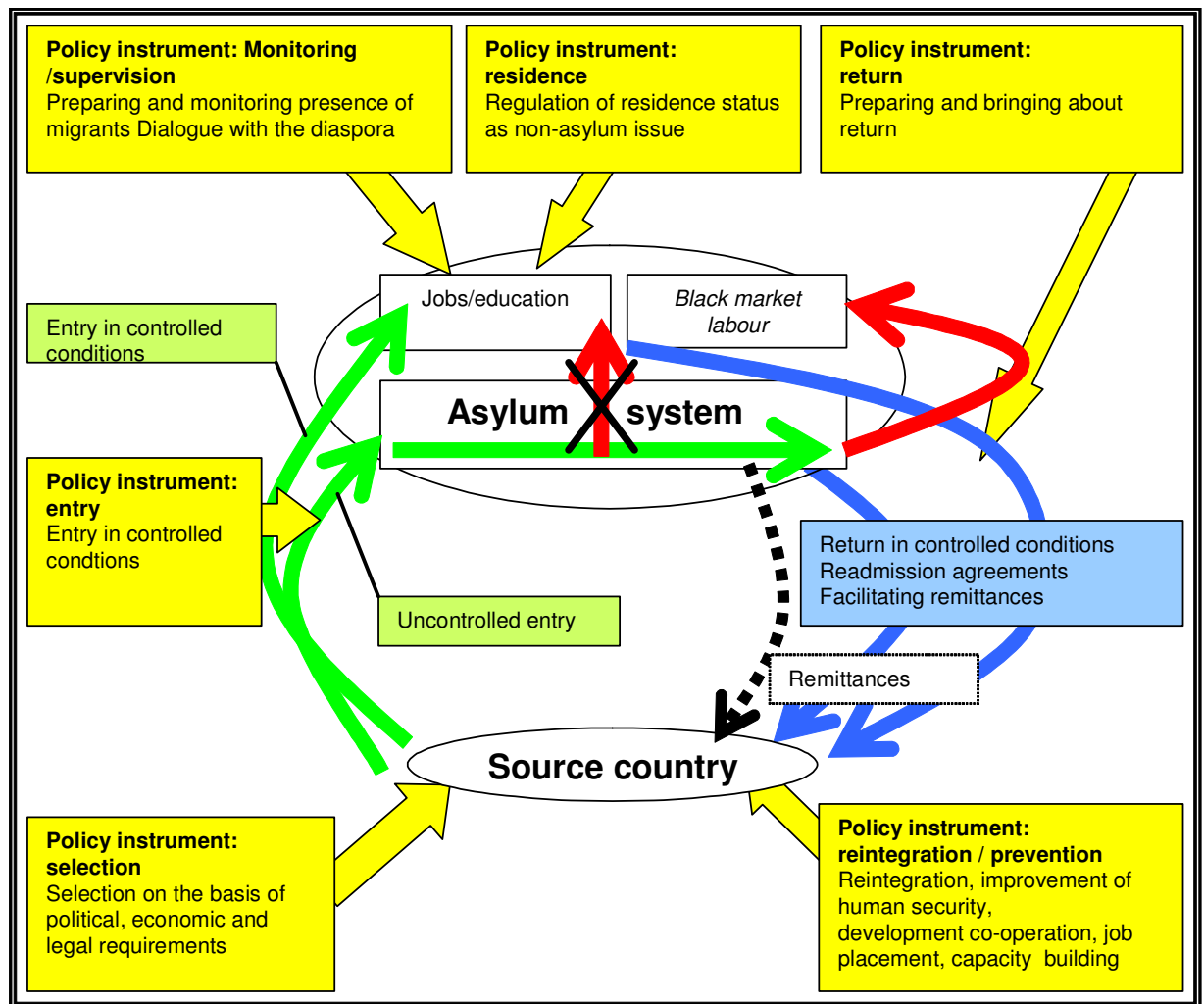
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<sup>2</sup> The final report of this Interdepartmental Working Group was officially adopted by the Swiss government on 23 June 2004.

irregular migration entirely to a halt, but rather to serve as an instrument for improving migration management and to serve as a platform for dialogue on the various aspects of migration between the partner countries.

Some of these aspects have been discussed in depth in the above-mentioned working group and presented as a possible migration partnership model. In addition, this model introduces the provision of jobs and education in Switzerland in exchange, for example, for readmission agreements. This instrument will be the subject of further discussion in light of subsequent developments in Swiss immigration policy and migration-related decisions of the EU.

### Example of a migration partnership





## **The case for pilot projects**

One way to achieve a better understanding of the possibilities for managing migration is to look at the issue in terms of a hierarchy of causes. At a structural level, this hierarchy includes such root causes as the weakness of the state, poverty, and cultural ties between the country of origin and destination of the migrant.

At a second level, one finds the proximate or direct causes that trigger the migration process including the outbreak of conflict, and displacements. At a third level, are the so-called enabling causes including border management and migrant resources, which begin to take effect once the decision to migrate has been made. Finally, it is the so-called “sustaining causes” that keep the flow of migration in motion between two countries, and these mainly involve migrant networks.

The current view of migration management is based on practices that took shape in the 1990s based on the so-called three Rs, namely recruitment, remittances and return. These "3Rs" are seen as mechanisms of development or instruments of development cooperation. They are often invoked in connection with the so-called “migration development nexus”. The idea of managing migration however is secondary to this new paradigm. Innovative instruments then come into play: recruitment and remittances, promotion and return programmes need to be seen in the context of a new migration logic.

The aim is to develop a combined process e.g. including remittances in a project designed to motivate migrants to return. The ideal project would combine all of the three Rs, with varying emphasis, to achieve the best possible control of migration flows and to ensure from the start that the flows are channelled in legal paths, that they conform with labour laws and that they follow a predetermined timetable so as to provide structural and sustainable added value that will be widely effective in the source countries.

### *Some examples*

A number of projects involve an attempt to intervene at various levels either to make migrants stay where they are, to move them on, or to return them home. Development aid instruments are employed at the level of root causes. Thus, for example, the European Union actively promoted the creation of a state migration authority in Morocco whose job includes pointing out valid emigration possibilities for Moroccans, building up the border security capacities and providing better training for border security officials. Plans for the stabilisation of the population of northern Morocco include improving the integration of this region in the national economy, developing its infrastructure and the creation of an entrepreneurial culture.

Information campaigns are planned to combat the proximate causes in the source region, together with humanitarian measures. The Gesellschaft für Technische Zusammenarbeit (GTZ), a German organisation that promotes technical co-operation, has been organising projects in Sierra Leone, Guinea and Liberia since 1995. The so-called ReAct Programme provides emergency aid measures which can at the same time serve as a basis for longer term development cooperation. Sustainable conflict

control and rehabilitation are instruments which should be made available for the prevention of secondary migration in regions of conflict<sup>3</sup>.

At the level of enabling causes it is possible to have an impact through closer co-operation in migration/border management. The Swedish Office for Migration for example organises training seminars for migration and customs officials in the Baltic countries, focusing on such matters as technical support to help uncover cases of document falsification and support with border security facilities. Finally, at the level of sustaining causes, there are projects which involve the “diaspora”, such as channelling the flow of funds, and return projects.

### *Innovative initiatives*

Various countries have begun to experiment with migration partnerships or similar innovative migration management instruments. Belgium for example finances local information campaigns. Among other things these warn potential migrants in Kosovo, Albania and Macedonia about the risks of irregular migration and the consequences of taking up illegal residence. Unrealistic hopes of potential migrants and lack of reliable information are among the most important causes of emigration. An information campaign in Kazakhstan considerably helped to reduce the number of asylum seekers arriving in Belgium from that country.

France has developed a migration programme that has an economic bias (Programme de la Migration et Initiatives Economiques, PMIE). This brings together all actors in the fields of development and migration. PMIE supports projects to help persons who are returning home definitively, invests in development projects, and encourages the creation of companies by migrants in France. Migrants can thus apply for project assistance that among other things serve to finance a temporary stay in the source country.

In Italy, the granting of immigration quotas is a cornerstone of efforts to manage migration. In the year 2000 the International Organisation for Migration (IOM) was mandated to prepare a pilot project to enable the recruitment and job placement of potential Albanian migrants in the source country. The IOM provides guarantees that the migrants will return home to Albania after a one-year stay in Italy. Among other things, the Italian authorities feel that the setting of quotas improves co-operation with the various source countries, especially for the signing of readmission agreements.

Sweden came up with the so-called "Göteborg initiative". This involves various NGOs that are active in Sweden, migrant associations in Somalia and Bosnia, and representatives of the city of Göteborg. Its aim is to help those who return home to establish a livelihood. The project is also intended to contribute to the development of the source countries, including through the creation of jobs for the local population. Another objective is to promote contacts between the business communities in Göteborg and the migrants' countries of origin.

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<sup>3</sup> See <http://www.gtz.de/cpr/download/service-package-en.pdf> for a succinct presentation of the GTZ rehabilitation and crisis prevention programme.

Switzerland plans to strengthen its commitment to combat trafficking in human beings, within the framework of a readmission agreement with Georgia. A special effort will be made to promote the reintegration of victims by means of programmes offering support in the social, psychological and health areas as well as through awareness-building and fund-raising campaigns in support of the Georgian National Action Plan to combat trafficking in human beings (2003-2005).

The European Union's capacity building activities have been prominent above all in Sri Lanka. The aim of the programme is to promote efficient migration management so that the government of Sri Lanka will be better equipped to deal with irregular migration. The strategy is based on measures to improve the control of migrants at the time of entry, during the period of residence and at the time of departure. The strategy recognises the fact that Sri Lanka is no longer just a source country but also a transit country for irregular migrants from the whole region of Southeast Asia.

These examples should make it clear that migration management uses many different approaches, dealing with the problem in various stages and places, using a variety of means and different actor configurations. No single approach or type of migration policy can be considered a priori preferable to the others. What is important is to put the full range of instruments to good use. Information projects for example must be accompanied by appropriate defensive measures as well as legal options. To better manage migration, border management should go hand in hand with recruitment quotas or educational programs. In view of the limited amount of experience with these instruments so far, additional pilot projects will be needed. In order to verify their actual effectiveness, these projects should be of limited duration and extent and should be closely monitored.

## **Conclusion**

In the international debate on the various migration policies being practised, the limits and the possibilities of state intervention are becoming increasingly clear. Limits, because of a view of migration that is too defensive, axed too much on domestic policy, suggests absolute state sovereignty, which in view of the institutional and legal limits as well as the global dimensions of the migration phenomenon is not feasible. Possibilities, because the combined use of the various national and international instruments could, if carefully planned, allow greater – if not decisive - room for manoeuvre in the area of migration policy.

Migration partnerships make it possible to direct state intervention in such a way as to achieve a balanced and fair weighing of interests in dealing with the problems of all countries concerned by emigration, immigration and return migration. This however requires an all-embracing, comprehensive approach to the migration phenomenon together with a readiness to implement government intervention strategies. The real effectiveness of this approach can only be measured on the basis of concrete projects and programmes.