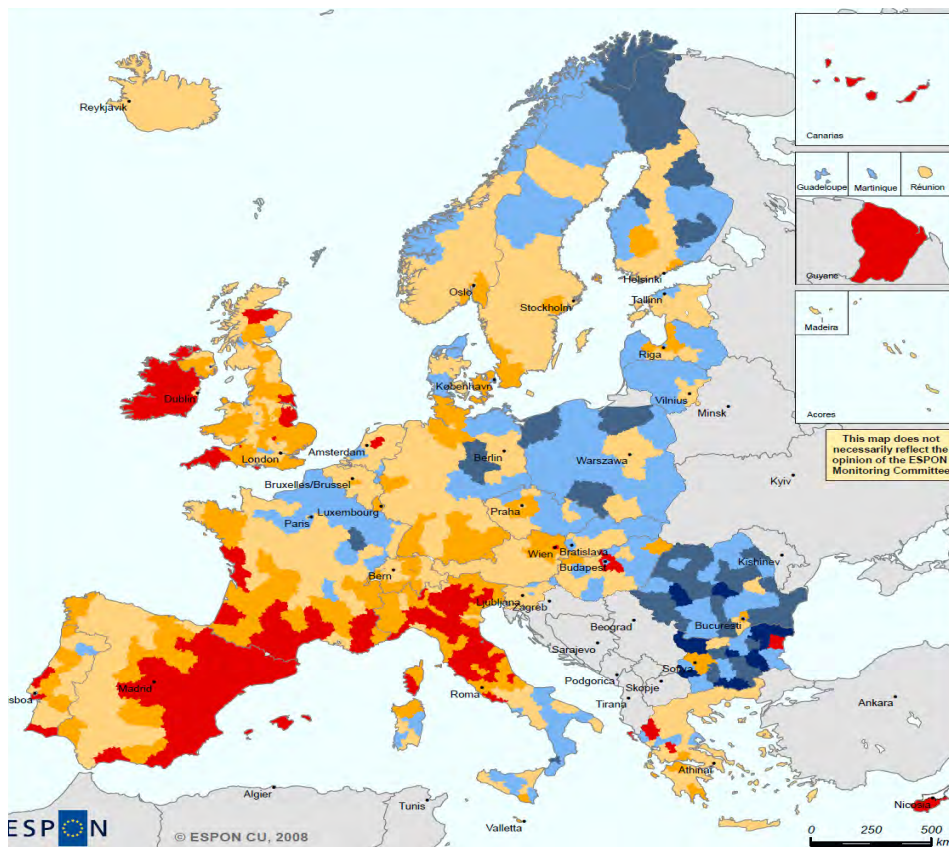


New Dimensions of Migration Flows in the European Union: The challenge of a selective migration policy.



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ABSTRACT

This research provides an overview of international migration flows in EU and introduces the theme of selective migration policy. This work first outlines the theoretical background, current trends, empirical analysis and EU policies on the international migration issue in relation to development and regional inequalities. In the next chapters, the focus is on the concept of ‘selectiveness’ in migration policies by identifying its theoretical origins, and analyzing its social and political dimensions, while explaining the reasons for being so popular among EU policies. The analyses carried out with the presentation of migration policies in two EU member states. The case of Spain begins with the nature of Spanish international flows and continues with the legislative of migration policies. Finally, a separate part of this chapter focuses on high skilled migration policies adopted by the Spanish government. The analysis next deals with the case of France. In an attempt to go beyond a mere outline of institutional arrangements chapters five and six are similarly structured for providing the reader the chance to make the comparison of the elements between the two case studies. The research closes with an integrated vision of the theme developed in the previous chapters manifested conclusions and questions for future research.

ΠΕΡΙΛΗΨΗ

Η παρούσα εργασία παρέχει μια συνολική θεώρηση των διεθνών μεταναστευτικών ροών στην Ε.Ε. και εισάγει το θέμα της επιλεκτικής μεταναστευτικής πολιτικής. Στο πλαίσιο αυτής της εργασίας αρχικά επισημαίνεται το θεωρητικό υπόβαθρο, οι πρόσφατες τάσεις, μία εμπειρική ανάλυση και οι πολιτικές της Ε.Ε. για το θέμα της διεθνούς μετανάστευσης σε σχέση με την οικονομική ανάπτυξη και τις περιφερειακές ανισότητες. Στις επόμενες ενότητες η προσοχή δίνεται στην έννοια της επιλεκτικότητας στις μεταναστευτικές πολιτικές αναγνωρίζοντας τις θεωρητικές ρίζες της και αναλύοντας τις πολιτικές και κοινωνικές της συνιστώσες ενώ ταυτόχρονα επεξηγούνται οι λόγοι που είναι τόσο δημοφιλής ως προς τις πολιτικές της Ε.Ε. Η ανάλυση συνεχίζεται με την παρουσίαση των μεταναστευτικών πολιτικών σε δύο κράτη μέλη της Ε.Ε. Στη περίπτωση της Ισπανίας αρχικά πραγματεύεται η φύση των διεθνών

μεταναστευτικών ροών και στη συνέχεια η θεσμοθέτηση των μεταναστευτικών πολιτικών. Στο τέλος, ένα ξεχωριστό κομμάτι του κεφαλαίου επικεντρώνεται στις μεταναστευτικές πολιτικές υψηλού επιπέδου ειδίκευσης που έχουν υιοθετηθεί από την Ισπανική κυβέρνηση. Στη συνέχεια η ανάλυση αφορά την περίπτωση της Γαλλίας. Σε μία προσπάθεια να προχωρήσουμε πέρα από μία σκιαγράφηση θεσμικών ρυθμίσεων, τα κεφάλαια πέντε και έξι έχουν την ίδια δομή, ώστε ο αναγνώστης να είναι σε θέση να συγκρίνει τα στοιχεία των δύο περιπτώσεων. Τέλος, η έρευνα ολοκληρώνεται με μία συνολική θεώρηση του θέματος που αναπτύχθηκε στα προηγούμενα κεφάλαια καθώς αναδεικνύονται ερωτήματα και συμπεράσματα για περαιτέρω έρευνα.

Keywords : migration theory, migration flows, regional inequalities. , EU, selective migration policy

ACRONYMS

EU :	European Union
ACP	African Caribbean and Pacific
APRE :	Administración de Reglamentos y Permisos
CAI :	Contrat d'Accueil et d'Intégration
CCT :	Carte Compétences et Talents
DCI :	Development Cooperation Instrument
EAPS4 :	Economically Active Population Survey
EC	European Commission
EDF	European Development Fund
EEC	European Economic Community
ENPI	European Neighbourhood and Partnership Instrument

FEDEA 2	Fundación de Estudios de Economía Aplicada
GDP :	Gross Domestic Product
EAPS:	Economically Active Population Survey
IMISCOE:	International Migration Integration and social Cohesion
OECD:	Organization for Economic Co-operation and Development
PPS	Purchasing Power Standards
PSOE :	Partido Socialista Obrero Español
SIS :	Schengen Information System
SMIC :	Salaire Minimum de Croissanc
TEU :	Treaty of The European Union
UGE :	Unidad de Grandes Empresas
UK	United Kingdom
USA:	United States of America
USSR	Union of Soviet Socialist Republics
VIS :	Visa Information System

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INTRODUCTION

Migration, international or not, always has been a debate for Europe. The argument that ‘foreigners’ are beneficial for the economic growth often conflicted with the aspect that migrants create social problems. The creation of the European Union made it more difficult for the member states’ governments to manage migration flows, as decisions are now taken not only in a national but also in a supranational level. For instance, the expulsion of Roma from France, during the last summer put in evidence a series of questions, especially as regards the dilemma between European and national migration policies.

The aim of this research is firstly to investigate current migration trends in Europe and investigate their influence over regional inequalities, secondly to analyze EU migration policies and finally to reveal a selective migration policy, designed and implemented by two EU member states: Spain and France. The first question this research tries to answer is whether international migration flows are connected to regional growth, as a human resource and in case this happens, does the migrants’ spatial distribution have an effect on regional disparities. The second question examined in this work, has to do with migration policies. In what degree policies destine the evolution of migration flows? How EU reacts to migration legacy issues? In what level EU member states adopt the EU directions and what is their governments’ contribution to migration laws?

International migration influences the destination country not only in a national but also in a regional level. From this double role of migration flows in regional and national procedure of development, rises the dimension of a new migration policy which separates the ‘desirable’, legally entered, economically beneficial migrants and the ‘undesirable’, irregular migrants. The originality of the presented research is included in the challenge of spotting, understanding and analyzing a quite recent aspect of migration policy, that is the ‘selective’ migration policy which is about to change the migrants’ characteristics and socio-economic structure in EU in the future years.

Migration flows, as a social issue, have always had and will have a worldwide impact. This phenomenon obviously occupies a variety of scientific fields like sociology, geography, economics etc by incorporating migration dimensions in their theories. Moreover, in recent years, more and more migration policies are designed to orient migration flows influencing policy and decision makers. Nowadays, the EU

integration process has opened the borders among EU member states but has restricted the entrance of international migration flows. By indicating tensions of migration policies and present a tendency to selective migration policies in the EU member states, this work, could contribute not only to specific groups of scientists, but also to every European citizen whose country is a migration destination. Concluding, by this research, scientists, policy makers, simple citizens and mostly young people could have a first approach of the current trends of international migration flows and how policy makers and societies tend to adopt a selective migration policy in EU.

Migration flows have a direct impact in regional and national development, by inducing market sufficiency and spatial inequalities. New patterns of mobility have been observed like the increase of irregular migration (illegal entry or overstay). Pressures in Europe are so strong regarding mostly illegal migration that the challenge of migration control is now a true priority. While possibilities for legal migration programmes generally remain limited, a number of European countries have opened up the chance for selected, high-skilled labor migrants. This selectiveness in migration has influenced the structure of migration flows and its results are observed in national and European level. The main objectives of the current and future migration policies will be: recruiting skilled labour, facilitating foreign students stay, tightening the rules on family reunification and limiting access to residence and citizenship.

Regional inequalities are considered as an issue of high importance in the EU as emerged from the cohesion policy and European regional development programmes. The dimension of migration flows in regional inequalities has been observed and researched from the theories of spatial inequalities, regional development, geographical economics and innovation, growing and learning theories. Aside from the adoption of neoclassical approaches regarding growing and regional development by EU policies, European governments have increasingly recognizing the importance of human capital as a crucial determinant of productivity and growth in a knowledge-based economy. As it is already said, labour mobility influences market sufficiency and as a result, regional and national development.

In this work the analysis is focused on two EU member states: France and Spain. Firstly, data from their regions are used to examine if international migration flows translated to regional net migration balance are correlated with regional growth and secondly France and Spain are used as representatives of changing migration policies,

more and more oriented towards a 'selective' approach. This particular member states were chosen for practical and substantial reasons:

France and Spain are almost of equal size, share borders and both considered being considerable economies in EU 15. Moreover, both countries have ex-colonies in many parts of the world and their languages are spoken from a high proportion of the population worldwide. In addition, Spain and France are of the most popular migration destinations. These similarities could make it possible to claim that there is a common base between the two countries which prevent the analysis from extreme differences in primary conditions.

Secondly, on the other hand they present several disparities regarding the culture of migration and economic development each country have. In other words, France has a long history as an international migration destination while Spain until twenty years ago was rather a country of origin. Also, there are different growth levels between the two member states. It could be said that beside both countries considered generally as economically developed, in fact they are in different stages of development. In Spain fast economic growth was introduced three decades ago, but France was always considered a developed country. The differences mentioned above along with cultural and policy disparities between the chosen member states, creates a further interest for these specific countries to be analyzed. Finally, these selected EU member-states are not in the same level of intensification of the phenomenon of selective migration policies.

In the present research quantitative and qualitative methods are used. Through quantitative methods like bibliographic detection, analysis, explanation will be used to the approximation of the meaning of the selective migration policies, and case studying (France, Spain) in order to deepen in specific lows which appointed international migration flows in the European Union. As far as current trends in international migration flows of the EU are concerned diagrams and maps from Eurostat and EPSON are used to make observations and highlight the importance of migration policies in a EU level.

The data employed as regards the relation between regional growth and international migration flows have been mainly collected from Eurostat Databases and the Secreteria de Estado De Inmigracion y Emigracion and additionally from the IMF Direction of Trade Statistics, Eurostat Yearbook as well as the two National Institutes of Statistics (I.N.S.E.E., N.S.I.S.). In the second part of the research which regards the trend of more selective migration policies in the EU, most of the collected information

is based on the available official sources and more specifically: the European Parliament, Eurostat, European Neighborhood Policies, and Migration Information Source etc.

The structure of the research is separated into two basic thematic units. The first part includes chapters one and two which grapple with issues relating to the theoretical background, current trends and empirical analysis. By the completion of the first part, the reader is able: firstly, to ascertain the scientific debate on a theoretical level, secondly to apply a voltage to reality through the presentation of current trends in EU indicators, thirdly, to follow an empirical analysis based on the theory and current trends, which would link the trend to migrate to regional development and EU policies on the international migration issue (always in relation to development and regional inequalities). In particular, chapter one presents the diachronic evolution of theoretical thoughts on international migration and their connection to regional development as well as regional inequalities. Continuously, is presented some first evidence as regards migration flows impact on EU regional disparities, through observing maps with regional GDP per habitant and net migration growth. Finally it will be mentioned future trends and challenges capable to extend the gap between EU regions. Chapter two presents an empirical study in order to verify or not the existence of a clear relation between the regional economic development and the different level of regional attractiveness defined in terms of positive migratory balance. From section one surge the importance of migration policies, which will be analyzed in detail in section two.

Sections one and two are connected through chapter three. This is a chapter for the evolution EU policies on the international migration issue which informs for the EU policy makers thinking about international migration. Chapter three, firstly, presents the history of European international migration from 1950 to present, divided into four periods. This division is based on the migration stages in relation to economic growth stages. Secondly, there is an extensive reference on EU migration policies and particularly in:

- Fundamental Acts and Treaties introducing the issue of migration policy in an EU level
- Initiatives on free movement of EU citizens and boarder control
- The journey to a common asylum and migration policy
- The combination of EU migration and development policy
- The challenge of regulation and management of international migration flows

The second part introduces the issue of selective migration policy and its implementation on two EU member –states Spain and France. More specifically, chapter four introduces the concept of ‘selectiveness’ in migration policies by identifying its theoretical origins, and analyzing its social and political dimensions, while explains the reasons for being so popular among EU policies. Chapter five develops the case of migration policies in Spain. It begins with the nature of Spanish international flows and continues with the legislative of migration policies. Finally, a separate part of this chapter focuses on high skilled migration policies adopted by the Spanish government. The sixth chapter deals with the case of France. Chapters five and six are similarly structured for providing the reader the chance to make the comparison between the two case studies. The final chapter presents an integrated vision of the theme developed in the previous chapters manifested conclusions and questions for future research.

1 MIGRATION FLOWS AS A DETERMINANT OF REGIONAL DEVELOPMENT AND CURRENT INTERNATIONAL MIGRATION FLOWS IN EU

In chapter 1 is set one of the main issues this study aims to answer. Is there relevance between regional inequalities and international migration flows? What the theory claims for this issue? What about elements? How they describe the current situation of international migration in EU?

Usually, international migration flows are examined on a national level, as migration flows have actually, determined the French (Spanish, Portugal and Maghreb migrants) and German (Greek and Turkish migrants) industry production. While many articles have analyzed internal migration and regional inequalities at a regional level (e.g. Ugo Fratesi (2007), it is important to mention of the bibliography shortage to investigate the connection between international migration flows and regional inequalities. However, the EU supranational form of governance seeing regions as the primary competitive instrument for trade and economic development draws attention to links between international migration flows and regional development. Looking back to migration theories, it is showed the contribution of international migration flows in a nation's growth and development. From the other hand, the rise of national economic growth does not mean the regional equilibrium and in fact according to Regional Divergence School, it means even more regional inequalities. In other words, is it possible to suggest that one of the regional disparities determinants could be the allocation of international migration flows as a component of human resources? This chapter firstly will present the major theoretical ideas connecting international migration to regional development as well as regional inequalities. Continuously, is presented some first evidence of migration flows impact on EU regional disparities, through observing maps with regional GDP per habitant and net migration growth. Finally will be mentioned future trends and challenges capable to extend the gap between EU regions.

1.1 MIGRATION THEORIES AND THE DEVERGENGE REGIONAL SCHOOL

1.1.1 MIGRATION THEORIES

Common views that development and migration are substitutes are ultimately based on place-utility theories which assume an inversely proportional relationship

between income and other opportunity differentials and migration rates. Thoughts about the relation between migration and development start with E.G. Ravenstein (1885-1889), who implicit that migration was a consequence of economic development. More than eighty years later, Everett Lee (1966) provides a descriptive model of migration which embodies a series of ‘pushes’ from origin areas and ‘pulls’ to destination areas. In particular, push-pull models usually identify various economic, environmental, and demographic factors which are assumed to push migrants out of places of origin and lure them into destination places. The analytical value of this model is limited as it is a static, descriptive model which fails to explain the migration determinants in different levels of agglomeration and development.

Michael Todaro (1987) and neoclassical colleges see migration as a “natural progress” of surplus labour in rural sector providing the workforce for the urban industrial economy, placing migration as a developmental necessity. This approach is focused to the linkages between rural and urban sectors and the importance of migration flows in any programme of integrated development. The main reason why equilibrium-based neoclassic migration theories have difficulties in explaining real-world migration patterns is the absence of meaningful notions of structure and agency. Migration flows are seen as the aggregate outcome of decisions made by individuals who have full access to information and operating under perfect market conditions. Moreover, equilibrium theories also fail to incorporate the ability of social actors to make independent choices, to impose those on the world and to alter structure (cf. Emirbayer and Mische 1998). This also reveals a mechanistic concept of agency, in which macro-level change is only brought about by shifts in labor supply. Migrants are effectively reduced to passive pawns or ‘atoms’ propelled around by macro-level push and pull forces and making perfectly rational and predictable decisions based on individual utility maximisation. Hence, it could be noticed the inability of these theories to explain transformations (i.e., fundamental structural shifts beyond incremental, linear change (cf. Castles 2010)) in established migration patterns and to take into consideration questions relative to (migration transitions).

On the other hand, new economics approaches distinguish from neoclassical as strategies for maximizing income are replaced by risk-minimizing ones. Massey (1993, 1994) basing in this theory embodies for international migration the segmented labour market theory and network theory. Moreover, attention is given on gender and generation networks within an integrated structured model of migration.

Until 1994 internal migration was to be concerned by theorists but from then international migration became of great importance. Apart from neoclassical and new economist's approaches which were adjusted to international migration, approaches more prevalent to international migration are based on a world system perspective. The geographer Skeldon (1990, 1997) has further elaborated Zelinsky's seminal work, particularly by reinforcing the spatial dimension of transition theory and applying it to actual world migration. Skeldon in 'Migration and Development' (1998) presents four theories in international migration and its relation to development:

- The World Systems approach
- The Diaspora approach
- The Mobility transition approach
- The Postmodernist approach

According to *World systems approach* and its adopters (Wallerstein, 1974, 1980) European capitalists developed an interdependent economic system which gradually absorbed resources throughout the world. Human migration as an integral part of the world system linked the European colonies and trading posts by establishing expanding human networks. Transactional corporation principal drivers for the development of global linkages has created the functional interdependence of regional across space, known as the 'new international division of labour', in which each region capitalized on the part of the production process in which it has the greatest cooperative advantage, and regions of specialization emerge, following mainly the Heckscher-Ohlin approach. Global economy is articulated by the flows of goods, capital and people. Yet, despite increasing numbers of international immigration and the internationalization of labour markets, human mobility is less than the flows of goods or capital. For instance, EU, where there is free movement across borders, only a small percentage is to be found outside their countries of origin. The world system approach has several weaknesses and first of all the immobility thesis could be overstated as many forms of migration, like short term labour mobility, are not considered in migration statistics. Despite labour is less than capital mobility, it is becoming an increasingly important component of the global system. Moreover, its implication of development in the periphery is dependent upon its linkages with the core, expressing the fact that the modernization theory is

rather incorrect as technological superior European goods of the nineteenth century were enforced by Asian and African states for controlling their populations and labour

Diaspora conceived by Cohen (1974) and Curtin (1984) as ‘ a transnational network of trading communities interacting socially almost entirely within that network and having relatively few relations, apart from strictly commercial, with people among whom they lived’. According to this approach, international migration is no more a movement from home to destination countries but a transnational system of circulation. The migrant is continuously moving in networks through cultural systems which are transferred to new situations. The themes in diasporas are multiculturalism and polyethnicity rather than assimilation as the migrants transferred ideas and technologies have a significant impact on regional development in both origin and host countries. Critical to this approach it could be said that is not a theory but a series of generalizations which explains the complexity of the real situation.

Zelinsky (1971) linked the concept of the ‘vital transition’ to that of the ‘*mobility transition*’. He proposed a *spatio-temporal* model by integrating demographic transition theory with the theory of the spatial diffusion of innovations. Mobility transition try to link the demographic transitions and development with several patterns of migration and most importantly to identify connections between technological and mobility change. The model suggested that as transportation and electronic communication improved, people will stay in their origin places and practically work from their homes. The major weakness of the approach was the try to relate mobility changes to the states of the demographic transition, ‘its depiction of migration and development as an unlinear process that affects all areas in the same way’ (Herein). The relevance to modernization theory, suggesting that societies moving towards higher levels of economical growth, through adopting western-style technologies and institutions, is nowadays thrown into questions.

The postmodernist view shows migrant as an individual but not as the individual decision-maker and what matters in migration is the experience of movement creating new cultures. Key concepts are identity and experience while emphasis is shifted from national to universe level. Migration as a determinant of intellectual mixed cultures and development becomes clearer in the discussion of high-skilled migrants in later chapters.

Table 1 reveals the strong conceptual links between the spatio-temporal migration models elaborated by Zelinsky and Skeldon, and their conceptual links to

more general transition, modernization and world systems theory. Skeldon's *spatial* development tiers correspond rather nearly with Zelinsky's *intertemporal* stages of the mobility transition. The table was constructed based on the Table 1 of Hein and Haas working paper, 'Migration Transition: a theoretical and empirical inquiry into the developmental drivers of international migration'.

Table 1. The conceptual links between temporal and spatial migration models

TEMPORAL DIMENSION			SPATIAL	DIMENSION
Demographic and Vital Transitions			REGIONALISATION	
Stages of the demographic transition model	Vital transition (Zelinski)	Mobility Transition (Zelinski)	World Systems theory	Development tiers (Skeldon)
High stationary	Pre-modern traditional society (pre-industrial)	Mobility mainly limited to circular migration	External areas (sub-Saharan African, central Asia etc)	Resource niche, with variable, often weaker forms of migration
Early expanding	Early transitional society (industrializing developing country)	All forms of mobility (circular, rural, colonization frontiers, internal rural-urban, international)increase	Periphery (Morocco, Egypt, Mexico)	Labour frontier, dominated by emigration (to core) and internal centralization
Late expanding	Late transitional society (mature industrial country)	International migration decreases, rural to urban migration stagnates but remains at high levels, circular movements increase and grow in structural complexity, towards the end of internal migration	Semi-periphery (eastern China, South-Africa, eastern Europe, Turkey)	Expanding core, co-existence of emigration and immigration and internal centralization
Low stationary	Advanced society (post-industrial society)	Residential mobility, urban to urban and circular migration increase, transformation from emigration to net immigration countries, immigration of unskilled and semi-skilled workers	Core areas (Western Europe, North America, Japan, NICs)	Old and new core countries, Characterized by immigration and internal decentralization
Decline	Future super-advanced society	Most internal migration is urban to urban and residential, immigration of labor continues		

Labor mobility is the migration type that is examined in this paper and very important literature is provided by articles based on trade theory. Trade theory in the '80s pointed the 'home market' effect (Krugman and Helpman, 1985), meaning that larger markets host a larger share of production activities subject to increasing returns. Krugman (1991b) points out that as regions integrate, a tendency is created for firms and workers to cluster together and result to interaction of labour migration across regions with increasing returns and trade costs. Moreover, the role of labour mobility may be limited by high migration barriers. In Venables (1996) imperfectly competitive upstream and downstream industries with vertical linkages between them, could be parallel to that of labour migration in endogenously determining the size of the market at different regions.

Hein de Haas (2010) in 'Migration Transitions: a theoretical and empirical inquiry into the developmental drivers of international migration' by synthesizing and amending existing theories, has advanced a conceptual framework on the developmental drivers of international migration processes. According to his analysis, capability and aspiration increase human development and are initially associated with generally higher levels of emigration and immigration. There is a range of other factors, particularly in regard to political economy of each country, geographical location and historical contingencies, which explain why countries with roughly similar levels of development show highly divergent migration levels and patterns. However, yet could be a relationship between human development and migration, and that development tends to coincide with a particular sequence of migration transitions. Finally the article concludes that 'in contrary to the common push-pull models, take-off development in the least developed countries is likely to lead to take-off emigration'. Hein de Haas considers migration as an integral part of broader processes of development as well as social and economic changes and not only as a problem requiring solutions.

1.1.2 THE REGIONAL DIVERGENCE SCHOOL

In order to understand growth performance in a regional level is important to mention competing theories on the issue. The convergence school believes that economical growth leads to regional equality while the divergence school seems to believe the opposite. In other words, according to the divergence school the more the economic growth rises the more unequal regions are. The economics of accumulation or

concentration were more popular in the 40s and 50s and the neoclassical school dominated in the literature afterwards. Nevertheless, there is a return of the (new) economics of concentration in the 1990s. Some of the most representative theories of the divergence school could be considered the cumulative causation (Myrdal), linkages models (Hirschman), urban growth and agglomeration economies (Henderson), export base model, business cycles models (Berry), core-periphery models (Friedmann), regional inequality and development (Williamson), initial conditions and path-dependency models, integration among unequal partners (Amin, Camagni), new Economic Geography models (Krugman) and endogenous growth models (Romer).

1.1.2.1 INCREASING RETURNS AND CUMULATIVE CAUSATION

(Rosenstein-Rodan (1944), Myrdal (1957) Fleming (1955), Perroux(1955), Hirschman (1958), Kaldor (1970, 1981))

According to increasing returns growth processes are cumulative in nature as forwards and backwards linkages between firms and industrial sectors through supply chains (Hirschman 1958) generate industrial complex economies and localized industrial growth. Finally, Perroux in 1950 suggested that agglomeration economies lead to the emergence of growth poles. Circular and cumulative causation theory suggests that scale effects lead to higher productivity and growth, which leads to the expansion of productive base and further benefits from scale effects. Moreover, ‘spread’ effects or ‘trickle down’ effects to poor regions may be offset by ‘backwash’ effects or centripetal forces while low wages in less advanced regions can be offset by scale effects in advanced regions. The theory concludes that liberalized trade increases polarization.

1.1.2.2 NEW ECONOMIC GEOGRAPHY

Krugman (1991) focused on how economic forces will work in an economy that is characterized by imperfect competition, products are diversified, production is subject to increasing returns, capital and labor are mobile and transport cost is not zero. According to New Economic Geography when transport cost is high, firms will tend to operate as monopolies located in different regional markets. They produce and sell their products only in their captured market, while selling to other distant markets is

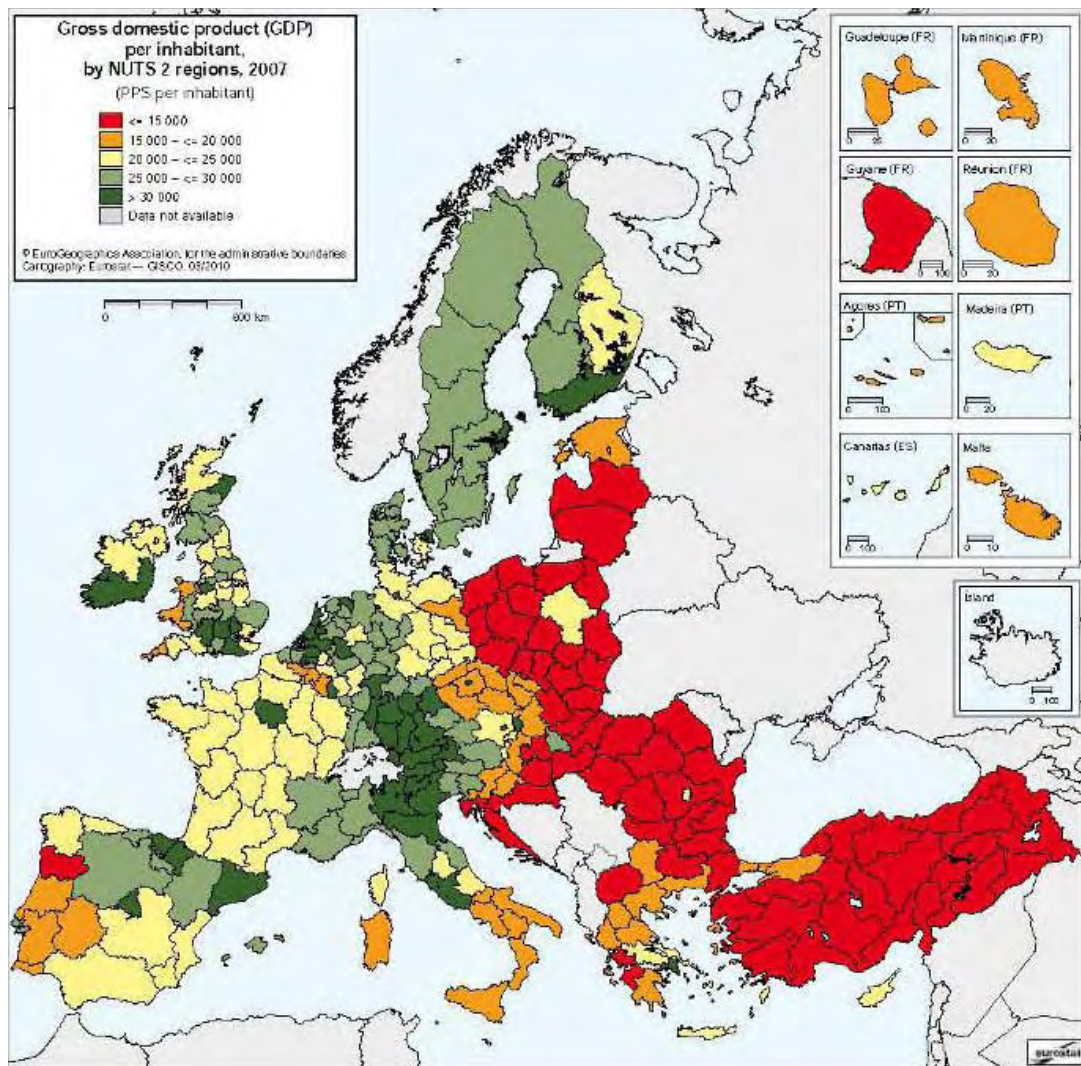
prohibited by transport cost. When transport costs is reduced, firms tend to concentrate in the largest markets where external economies of scale are stronger, without sacrificing distant markets that are now easier to reach. Trade-off between transport cost and scale effects are developed until limited labor mobility and land prices slow down the concentration process. In addition, cumulative processes may be triggered by the reduction of transport cost and the closer integration of markets. Large markets with a more diverse productive base will tend to attract new firms. New firms, in turn, will tend to increase market attraction further for two reasons: agglomeration and home market effect. As product diversity increases (monopolistic competition markets) firms producing diverse products will tend to concentrate and product diversity removes (partly) pressure from price competition and allows firms to take advantage from external economies of scale in a diverse productive environment. In this environment, integration (in the form of reducing transaction costs) increases concentration of activities and leads to unbalanced growth. A region can gain from the cumulative market processes when transport cost is reduced only if it happens to maintain a historically determined critical threshold of market size and economic activity. Regions that have not managed to reach a critical size, are unable to benefit from cumulative adjustments. Regions also need to maintain a critical distance from the largest market, which will be favored more from agglomeration economies and home market effects, in order to be outside the reach of its export sectors and avoid a competition that will reduce demand for local products.(Petrakos, university notes).

1.2 CURRENT TRENDS AND ELEMENTS OF EU MIGRATION FLOWS

In the last part of the first chapter is provided some evidence of the role of migration flow distribution play in regional inequalities. In fact are presented EU NUTS2 maps of population growth, net migration diachronic change and GDP per inhabitant to assume the hypothesis already made , that international migration flows could be a determinant of regional inequalities. The Regional Yearbook 2010 of Eurostat provides useful information and analysis as regards the recent trends of the EU member states. The most important (for the purpose of our analysis) evolutions can be summarized as following:

- Regional GDP performance

According to an overview of the regional distribution of per inhabitant GDP (as a percentage of the EU-27 average of 24 900 PPS) for the European Union, firstly, there is an obvious north-south and west-east economic distinction. Regions with the highest per inhabitant GDP are in southern Germany, in the south of the UK, in northern Italy and in Belgium, Luxembourg, the Netherlands, Austria, Ireland and Scandinavia.. The weaker regions are concentrated at the southern, western and south-eastern periphery of the Union, in eastern Germany and the new Member States, Croatia, the former Yugoslav Republic of Macedonia and Turkey. Secondly, could be observed a core-periphery regional disparity as the capital regions Madrid, Paris and Praha fall into the category of the wealthiest regions . Within the EU-27, per inhabitant GDP ranges from 26 % of the EU-27 average (6.400 PPS) in Severozapaden in Bulgaria to 334 % (83. 200 PPS) in the capital region of Inner London in the UK. The factor between the two ends of the distribution is therefore 13.1:1. Luxembourg at 275 % (68 500 PPS) and Brussels at 221 % (55 000 PPS) are in positions 2 and 3, followed by Hamburg at 192 % (47 800 PPS) and Praha at 172 % (42 800 PPS) in positions 4 and 5. Praha (Czech Republic) thus remains by an increasing margin the region with the highest per inhabitant GDP in the new Member States; Bratislavsky kraj (Slovakia) follows with 160 % (39 900 PPS) in position 12 of the 271 NUTS level 2 regions in the EU-27. However, these two regions must be regarded as exceptions among the regions in the new Member States which joined in 2004, since the next most prosperous regions in the new Member States are a long way behind: Zahodna Slovenija (Slovenia) at 107 % (26 600 PPS) in position 94, Kozep-Magyarorszag (Hungary) at 103 % (25 600 PPS) in position 111 and Cyprus at 94 % (23 300 PPS) in position 146. With the exception of four other regions (București–Ilfov in Romania, Mazowieckie in Poland, Malta and Středni Čechy in the Czech Republic), all the other regions of the new Member States have a per inhabitant GDP in PPS of less than 75 % of the EU-27 average.

Map 1.1. GDP per inhabitant, by NUTS 2 regions 2007

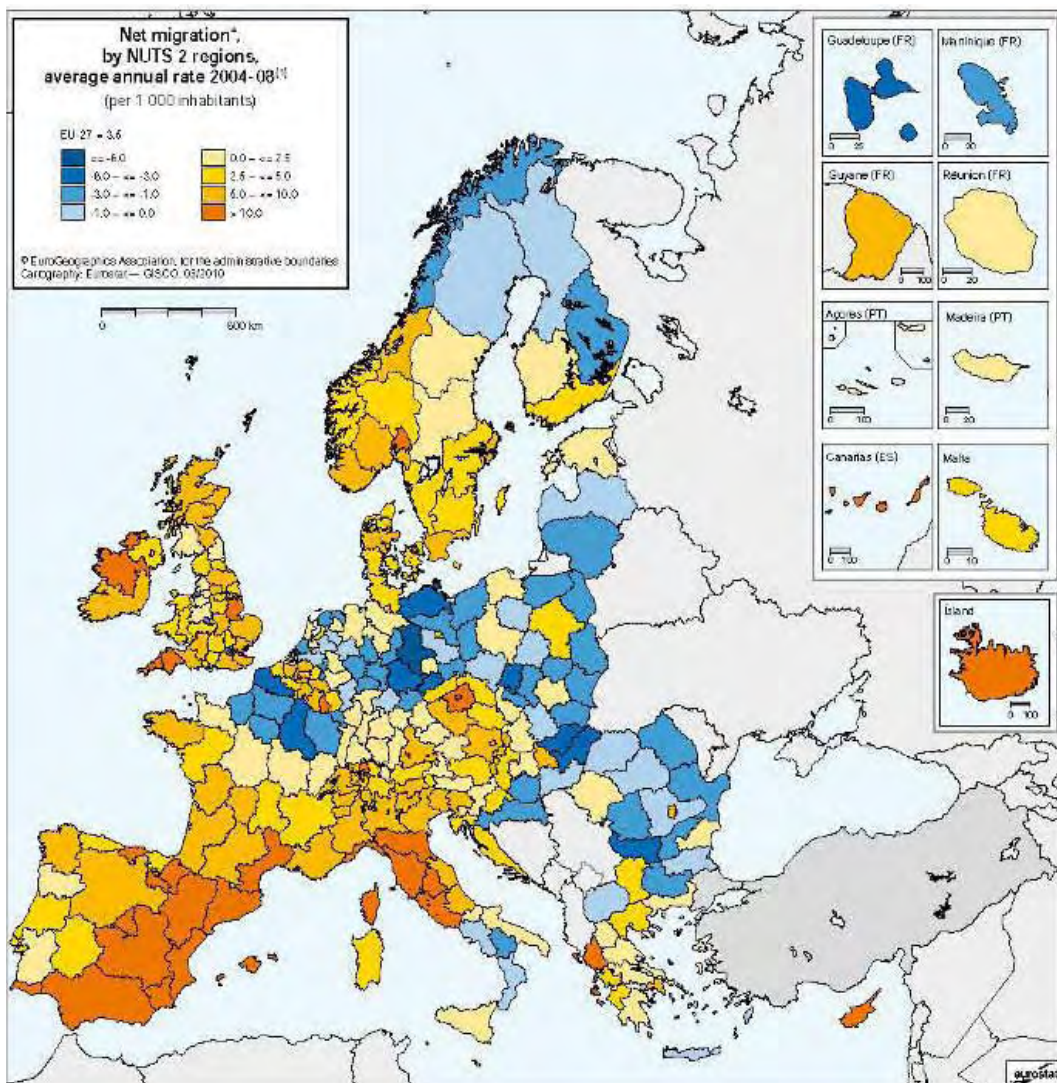
Source: Eurostat Database

- Net Migration Growth

According to Map 1.4 in four cross-border regions can be identified negative net migration to the northern regions of Norway, Sweden and Finland and to a cross-Europe area, starting in the north-west and going south-east, comprising most of the regions in the Netherlands, eastern Germany, Poland, Lithuania and Latvia, and most parts of Slovakia, Hungary, Romania and Bulgaria. There are regions where the two components of population change (positive/negative natural change, positive/negative net migration) have both moved in the same direction. In Ireland, Luxembourg,

Belgium, Malta, Cyprus, Switzerland, Iceland, many regions in France and in Norway, and some regions in Spain, the United Kingdom and the Netherlands, a positive natural change has been accompanied by positive net migration, hence a rise in their populations. However, in eastern Germany, Lithuania and Latvia, and in some regions in Poland, Slovakia, Hungary, Bulgaria and Romania, both components of population change have moved in a negative direction. This trend has led to sustained population loss. Migration flows create another kind of regional disparity as an east-west separation arises.

Map 1.2 Net migrations, by NUTS 2 regions, average annual rate. 2004-2008



Source: Eurostat Database

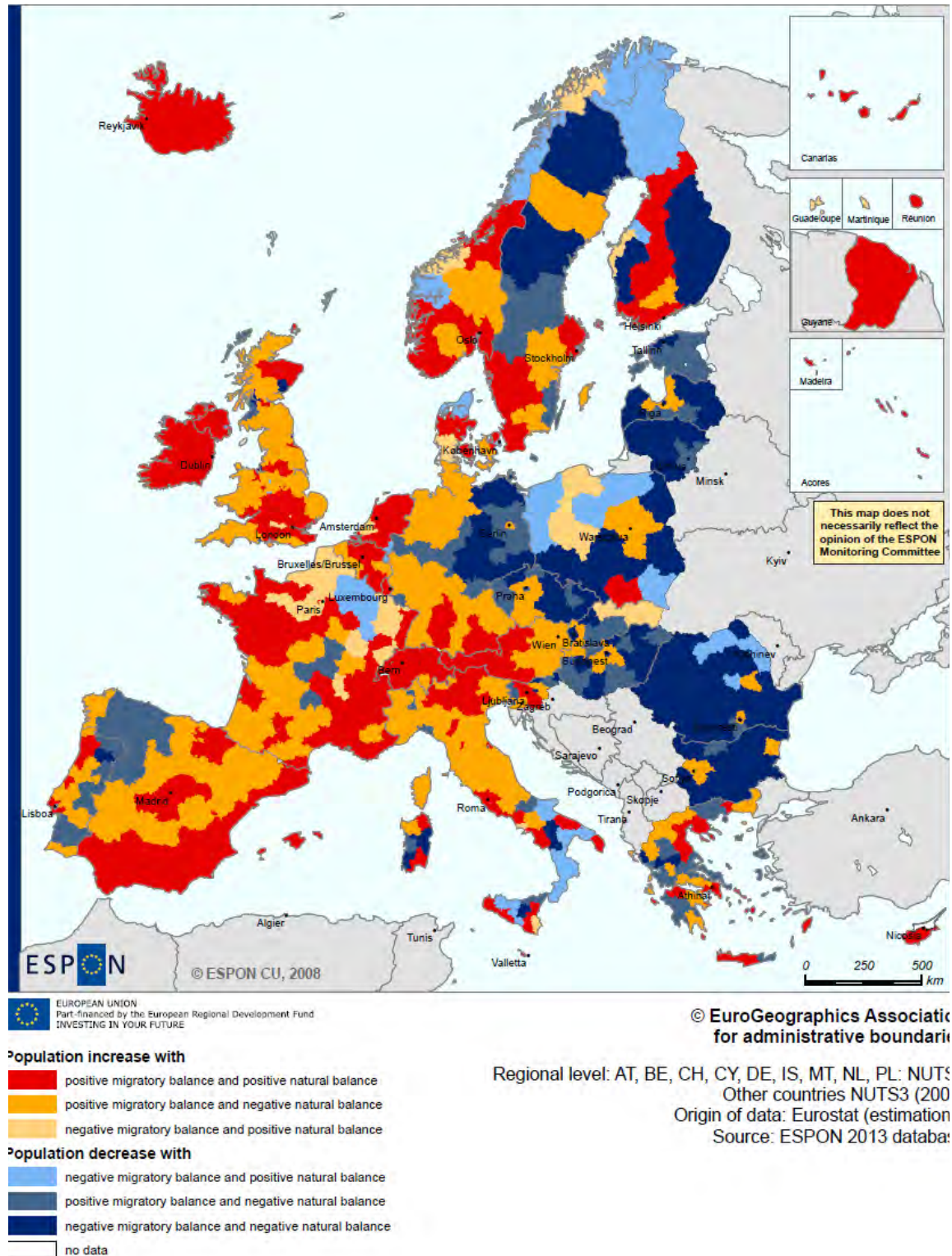
From Maps 1 and 2 could be said that many wealthy regions have positive migration growth but almost all weak regions have negative migration. In addition, the capitals of poor member states seem to agglomerate both immigrants and high GDP per inhabitant levels.

The ‘Territorial Dynamics in Europe: Trends in Population Development’, (ESPON 2013 Programme, November 2008 indicates further demographic regional trends :

- Growth of total population

Migration plays a key role for population growth in Europe as counterbalances the impact of a negative natural population development in many regions. The importance of migration in regional contribution to European competitiveness and cohesion should draw more attention in a policy level. Migration contributed annually between 2001-2005 with 0,35% to the total of the population increase in Europe, while natural development only with 0,04%. Map 1.3 presents the European population development in the period 2001-2005 and reveals an East-West polarization between regions with population growth (red) and regions with population decline (blue). Regions with population growth due to both positive natural population and migration development are mainly concentrated along corridor stretching from the Mediterranean coast of Spain and France and Switzerland to Northern Italy and Western Austria. Outside this area some Southern European regions in Portugal, Greece and Cyprus have positive population growth which partly could be explained by the movement of pensioners to a more favorable climate and quality of life. On the other hand regions with both negative net migration and natural population decline are located in Eastern Europe, like regions in Poland, Estonia, Latvia, Lithuania, Eastern Germany, Bulgaria and Romania. Some regions in Finland, Sweden, Italy, Greece and Portugal also face increasing depopulation. As it is already noted, Greece has a great diversity of regions in terms of population growth while French and Spanish regions seems to be included in the most favorable situation with double positive population processes. In particular, all Spanish regions have positive migration and population differences are mainly determined by changes in natural population (negative natural population moving from the Mediterranean Coast to Portugal borders). French regions to a large extent have a higher demographic potential for population growth.

Map 1.3 Total population developments 2001-2005

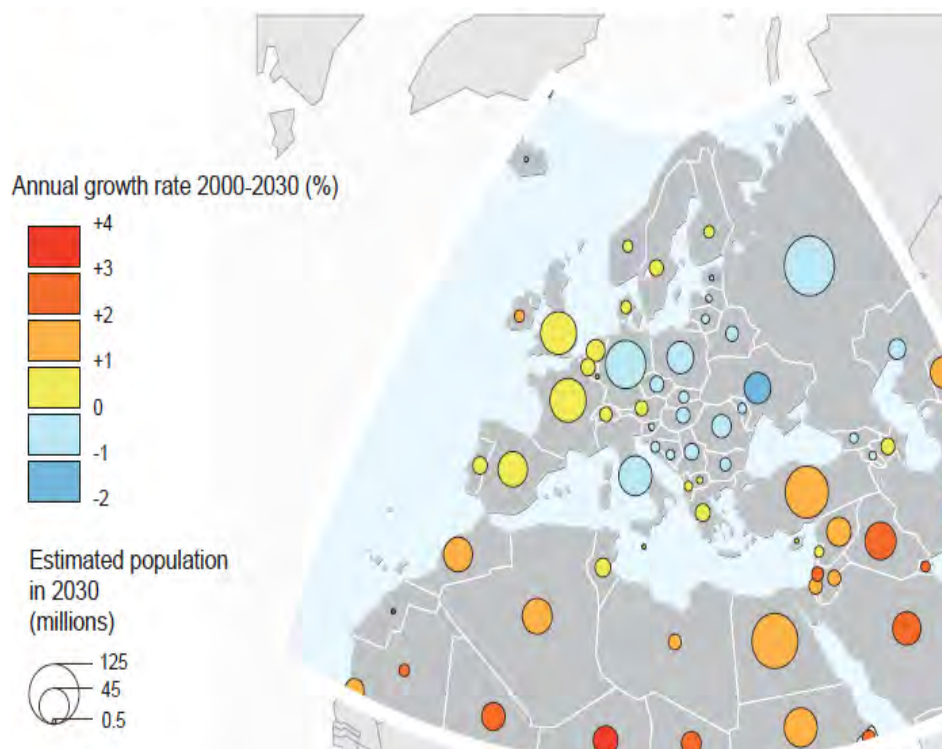


Source: ESPON, Database

- Factors of the future demographic developments in Europe

Estimations show that **Europe is getting older** (Map 1.4). In 2030, the median age in some regions will exceed 50 years. The challenge of ensuring the necessary labor force and services of general interest will be profound in some regions. This challenge is especially important in terms of future EU migration policies, if we take into account that towards 2030, the **annual growth** rate for the period 2000-2030 will be **significantly higher in countries neighboring Europe** (Map 1.5) in the Mediterranean zone which may sustain a particular migratory pressure on Europe during the next years.

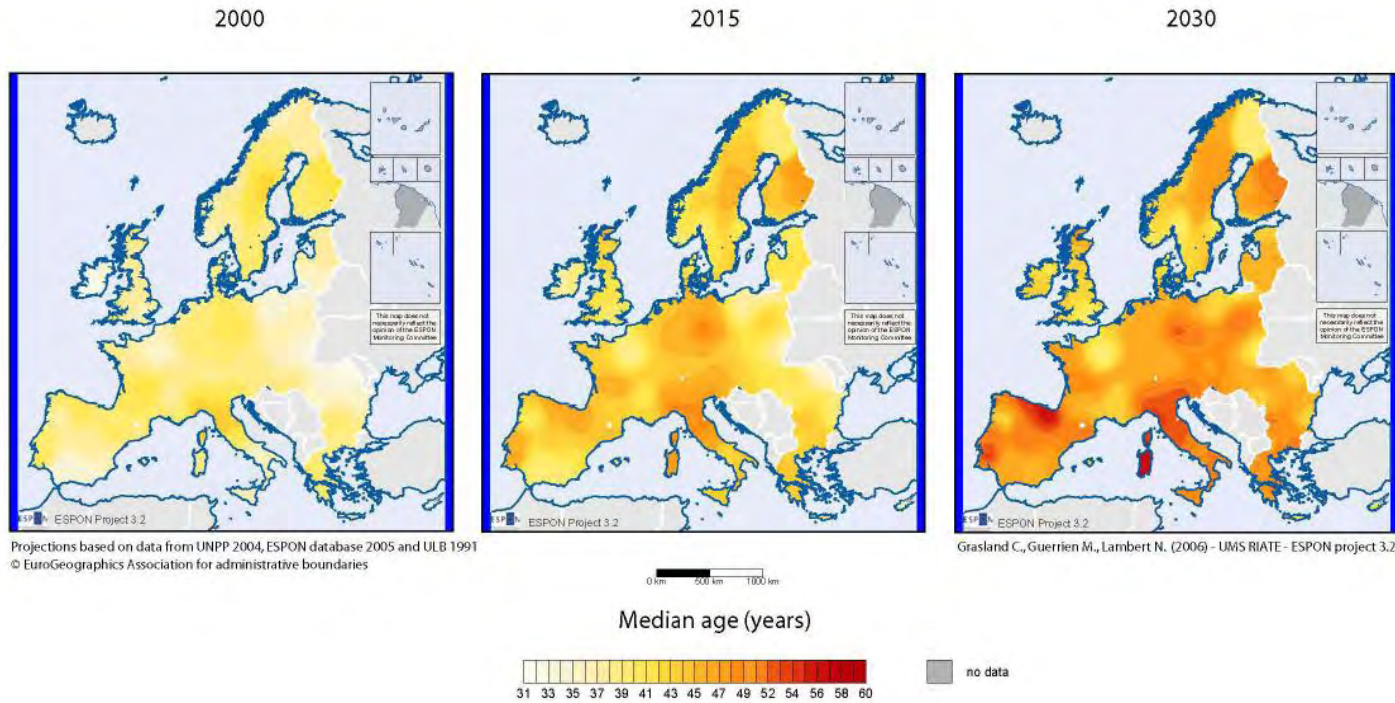
Map 1.4. Population growth in EU and its neighborhood in 2030



1.2.1.1

Source: UNPP 2005

Map 1.5. Demographic perspectives. Median age.



Source: EPSON Database

1.3 CONCLUSIONS

The above analysis on the issue of international migration flows- economic growth- regional inequalities seems to have theoretical shortage in connecting the three parameters. Further scientific research and econometrical models could be developed for covering this important part of the science of regional development. However, presenting the most representative migration theories and mentioning the appreciated of this research view of divergence school, in the first part of chapter 1, provides the roots of the main hypothesis this work trying to develop and support the analysis made in chapter two.

The second part of this chapter reveals two different challenges likely to extend even more the already existing EU regional disparities. From one hand, regions of the south EU periphery have (apart from the new member states) the lowest GDP per capita and a constantly rising pressure of international migration flows. Intense migration pressure in conjunction with low developmental rates will worsen the position of these regions. In addition, regions of eastern member states have to deal with low development level and negative migration and natural growth. Human recourses shortage and low economic development will make the poor regions even poorer. From the other hand, west and north regions of EU have the highest places in GDP per capita and are protected from the international migration pressure thanks to their geographical position and the better organized migration policies .

Both current theoretical ideas and current trends show the need for migration policy in a EU level as an absolute necessity, subject to this work in the next chapters.

2 EMPIRICAL ANALYSIS ON INTERNATIONAL MIGRATION FLOWS IN RELATION TO THE GROWTH OF REGIONAL ECONOMIC DISPARITIES

Nowadays, with the EU transferring attention from national to regional level, it is vital to explore if international migration flows influences not only the economic development but also if they can be interpreted as a factor of increasing regional inequalities. Based on the theories previously presented, this chapter tries to give some particular and targeted elements for the intensity and the spatial dimension of the issue. The main question is to verify or not that there is a correlation between the regional economic development and their attractiveness defined in terms of positive migratory balance. In other terms, is it possible to put in evidence that regions with higher rates of development than the national average benefit at the same time, of the most intense international migration flows while regions with lower rates of development would present lower even negative migration flows?

However, it is necessary to mention that in this empirical study, the level of regional development is reflected only in economic terms. Socio-cultural and geographical factors are not taken into account, even if they are not neutral. The introduction of such factors would necessitate a deeper research which was not the objective of this work. This empirical study has a simple objective to highlight in what extent we can accept the existence of such a relation as postulated by well known authors presented in chapter 1, by examining the cases of two different countries – France and Spain- as regards the intensity of migration flows .

For the European Union, the spatial dimension of international migration flows is an important aspect. For this reason, the question is examined at two different scales: the national one (NUTS0) and the regional one (NUTS2).

2.1 INTERNATIONAL MIGRATION AND ECONOMIC GROWTH IN THE EU-15

It is well believed that the larger the number of countries entering EU the greater the disparities among the EU member states. Moreover, for many researchers and scientists EU-15 consisted from the older member states is regarded as a more coherent part of the European Union, even if for some others the EU-15 hides important spatial inequalities. In this paragraph, the situation in terms of economic development and migration at national level is briefly examined in order to compare the relative position of each one of the EU member states. We effectively consider that the national level is a first order of regional disparities while at the same time the position/situation of each country is not neutral as regards the intra-national disparities.

Firstly, it is presented the GDP per capita in PPS, as an indicator of the economic growth in EU15. If it is considered the GDP per capita in PPS for the 15 countries, it appears that during the last 10 years, even if Luxembourg is not taking into account, differences between member states are quite important and are not really reducing between the North and the South of EU.

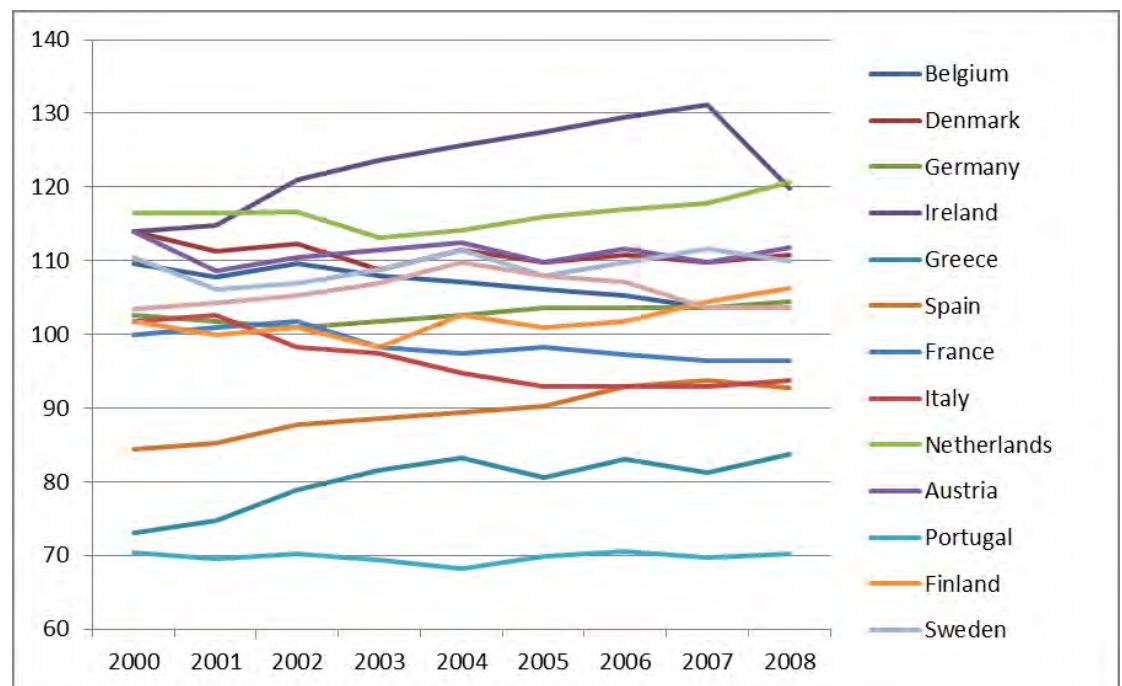
Table 2.1: GDP per capita in Purchasing Power Standards (PPS) (EU-15 = 100)

Countries	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Austria	114	109	111	111	112	110	112	110	112	113
Belgium	110	108	110	108	107	106	105	104	104	105
Denmark	114	111	112	109	112	110	111	110	111	110
Finland	102	100	101	98	103	101	102	104	106	103
France	100	101	102	98	97	98	97	96	96	98
Germany	103	102	101	102	103	104	104	104	105	105
Greece	73	75	79	82	83	81	83	81	84	85
Ireland	114	115	121	124	126	127	129	131	120	115
Italy	102	103	98	97	95	93	93	93	94	95
Luxembourg	213	203	211	217	224	225	241	246	252	246
Netherlands	117	117	117	113	114	116	117	118	121	119
Portugal	70	70	70	69	68	70	71	70	70	73
Spain	84	85	88	89	89	90	93	94	93	94
Sweden	110	106	107	109	112	108	110	112	110	107
United Kingdom	103	104	105	107	110	108	107	104	104	102

Source: Eurostat, Database

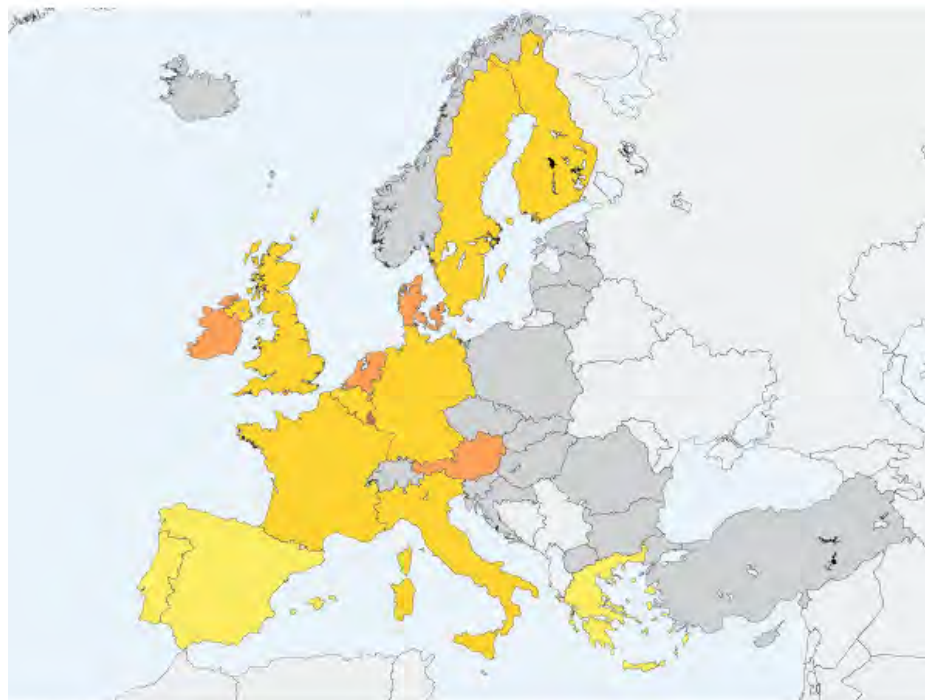
As it could be observed from Diagram 1, despite that in the beginning of the period it is possible to distinguish mainly three groups of countries, the situation at the end of the period is much more diversify and it is not possible to consider that there is a tendency of convergence between these 15 countries. Map 1, also confirms the above observation as in 2000 we could distinguish three GDP categories while in 2009 there are five. Moreover, the less developed countries, in 2000 are still the less developed in 2009, while some countries with high GDP levels in 2000, in 2009 have the firsts positions in the GDP distribution.

Graph 2.1. Evolution of GDP in PPS (100=EU-15) during the period 2000-2008



Source: Eurostat database

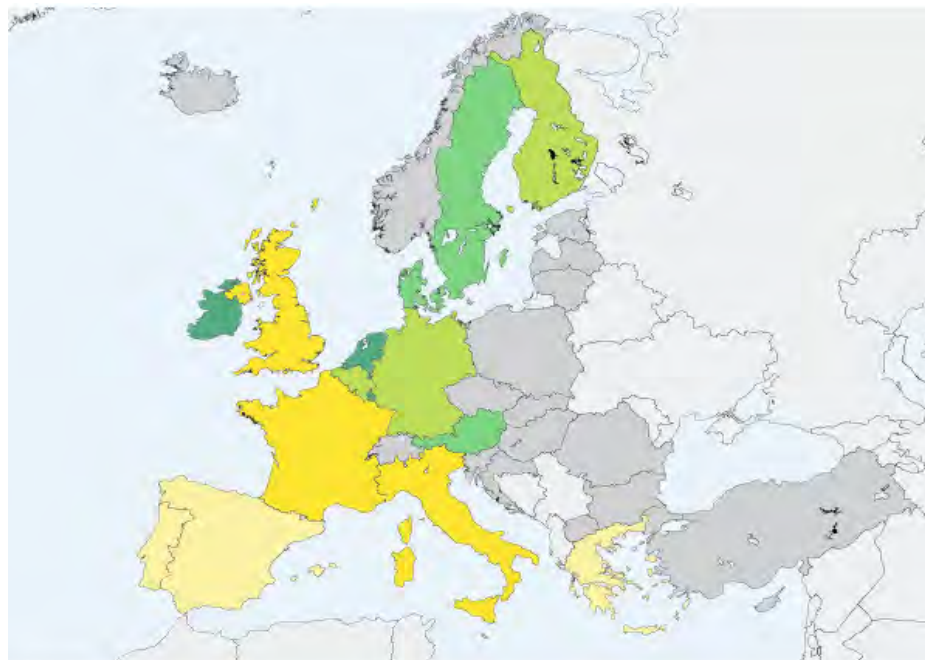
Map 2. 1 GDP per capita in PPS for the EU15, 2000 and 2009



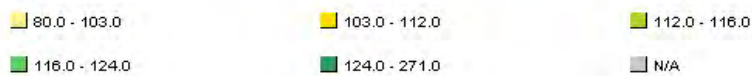
Legend



Minimum value:81.0 Maximum value:245.0 eu25:105.0 eu15:115.0



Legend



Source: Eurostat

In regards to the foreigners' number in EU15 and their proportion in total and active population, from Table 2.2, it is presented that the total number of foreigners is 28.689.000 which is 6,1% of the total population and the active number of foreigners is 16.657 the 7,2% of total active population. From the last sentence, it could be claimed that the relative weight of active foreigners is greater than the relative weight of the total population of foreigners, probably due to the fact that the majority of foreigners are economic immigrants. This phenomenon is even greater in countries such as Germany Belgium, Austria, Ireland, Luxemburg, UK, Spain and Greece. In other words this phenomenon is presented intensively in member states which have the highest and lowest positions in the GDP per capita distribution.

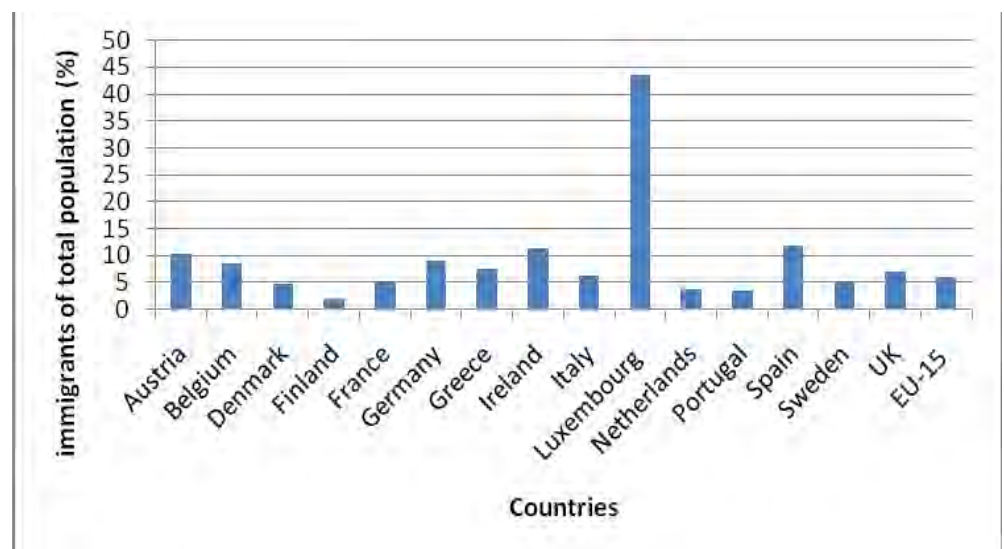
Table.2.2 Number of foreigners in EU15, 2009

	Total foreigners		Active population	
	Number of Foreigners ('000)	% of total population	Number of Foreigners ('000)	% of total population
Austria	855	10,4	468	10,9
Belgium	914	8,5	431	9,0
Denmark	263	4,8	149	5,0
Finland	104	2,0	57	2,1
France	3.127	5,1	1.531	5,4
Germany	7.175	8,9	3.954	9,4
Greece	813	7,5	473	9,5
Ireland	509	11,4	318	14,7
Italy	3.741	6,3	2.137	8,6
Luxembourg	210	43,5	113	49,3
Netherlands	603	3,7	326	3,7
Portugal	373	3,5	249	4,5
Spain	5.345	11,7	3.679	16,0
Sweden	362	5,2	245	5,0
UK	4.297	7,1	2.527	8,1
EU-15	28.689	6,1	16.657	7,2

Source: Eurostat, Database

As it can be expected, the large majority of foreigners (82,6%) are located in the 5 biggest European countries : Germany, France, UK, Italy and Spain which represent 79% of the total population of EU-15. The relative weight of total foreigners is very different from one country to the other. If once again, it is not taken into account the case of Luxembourg; three countries (Spain, Ireland and Austria) seem to be very attractive for foreigners which finally represent more than 10% of the total population. Moreover, it seems that the observed economic growth in Spain and Ireland, during the last 10 years, is mainly related with the presence of an important foreign active population. The countries with the highest annual rate of growth during the period 2000-2007 (before the beginning of the crisis) are effectively those with high percent of foreign active population, as it is the case of Spain, Ireland and Greece (Graph 2.3).

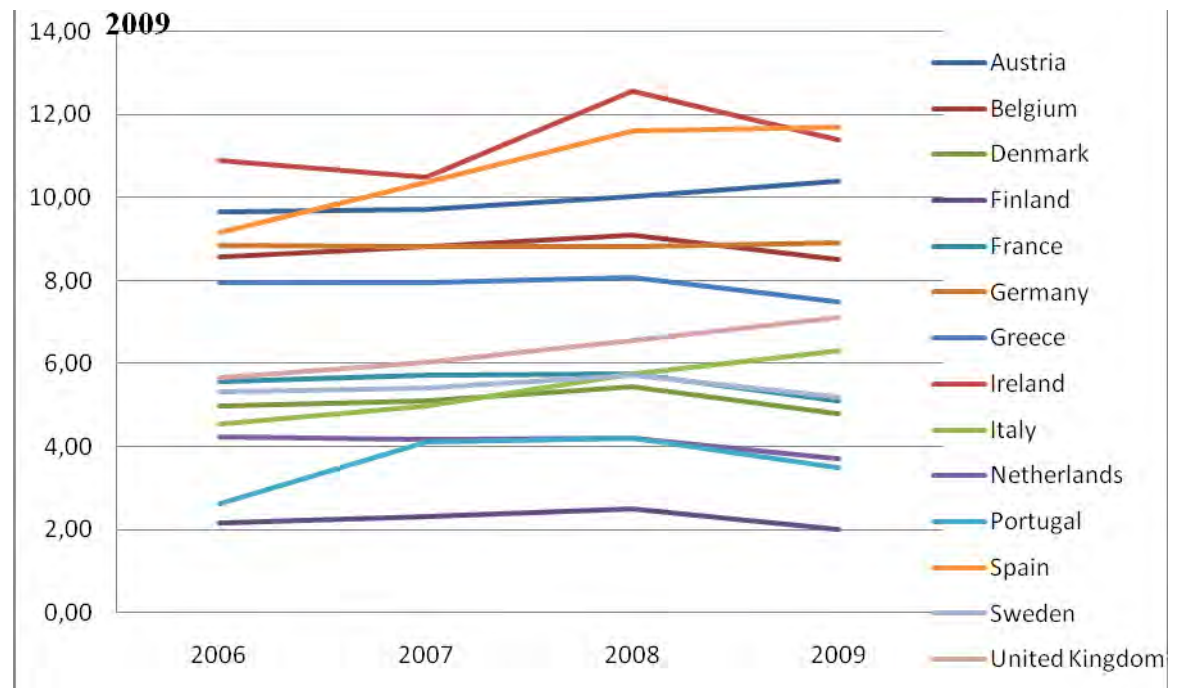
Graph 2.3 Number of immigrants in EU-15, 2009



Source: Eurostat, Database

The porportion of foreigners in relevance to the total population in the EU15, in 2006 seems to create three groups : member states with low, medium and high foreigners porportion. On the other hand, in 2009 this distribution is no longer exists as the member states have namy disparities in relevance to the foreigners porpotions in total population (Diagram 2.2)

Graph 3.3 Percentage of immigrants on total population 2006-2009



Source: Eurostat Database

A recent research made on behalf of the Caixa Bank of Cataluña, examines for the EU-15 the migration impact on economic indicators. In fact, this institution has developed a stimulation model on annual average GDP change in case there were not any immigrants and compared these 'hypothetical' results with the true average changes. According to this research, migration influences in a high level the annual active population change as almost the 27% of EU-15 would have negative or zero active population change. Moreover, it seems like Spain plays a significant role in the EU 15 active population change as the 17, 4% of this change comes from it (Table 2.3). In addition and more importantly from the Caixa's research accrues that:

- The 71, 4% of the EU 15 member states would have negative annual GDP per capita change if there were not for the foreigners. All member states

have a positive impact on their GDP per capita change level when considering immigrants.

- Member states which have the greatest deviation between real and case (without immigrants) GDP per capita annual change percentage for the 2006 are: Greece, Ireland, Finland, Suisse and Germany.
- Member states which take the first places in GDP per capita change distribution (Greece, Finland , Ireland, Spain) seems to have the greatest fall in the GDP per capita change without immigrants, figures.

Table.2.2 Population and GDP changes including or not foreigners in EU-15, 2006

	Average annual rate of total population change (%)	Average annual rate of change of active population without immigrants (%)	Average annual change rate of real GDP per capita (%)	Average annual change of real GDP per capita without immigrants (%)
Austria	0,28	-0,07	1,83	-0,34
Belgium	0,40	0,14	1,74	-0,42
Denmark	0,39	0,34	1,77	-0,02
Finland	0,33	0,38	3,18	0,16
France	0,44	0,58	1,61	0,34
Germany	0,31	-0,53	1,28	-1,52
Greece	0,37	0	3,42	-0,62
Ireland	0,90	1,37	5,87	1,07
Italy	0,48	-0,19	1,01	-1,17
Netherlands	1,34	1,09	1,95	-0,21
Portugal	0,56	0	1,8	-0,63
Spain	1,02	0,58	2,6	-0,64
Sweden	0,50	0,17	2,51	-0,77
UK	0,27	0,16	2,39	-0,15
EU-15	0,39	0,23	1,79	-0,23
EU-15 (noSpain)	0,24	0,19	1,78	-0,06

Bank Caixa de Cataluna, 2006

It seems that during the last decade, migration flows (especially economic migrants) have not the same impact's intensity on economic growth. In EU 15 there are two categories of member states with different kind of relevance between economic growth and immigration: The already developed member states with a high absolute number of foreigners where the hypothesis seems to be confirmed and the less developed member states, which besides

the high migration intensity continue to have low economic development. Economic disparities among the EU 15 member states continue to develop but migration flows do not seem to have the same impact on economic growth.

2.2 INTERNATIONAL MIGRATION FLOWS AND REGIONAL GROWTH: DIFFERENT PATTERNS OF REGIONAL DISPARITIES

During the last decade, significant disparities have been observed between the EU member states, in terms of growth as well as migration flows. So in this context, it should not be surprising to find more intense disparities at regional level. The following analysis is focused on the cases of Spain and France.

Despite it would very interesting to examine the hypothesis for all EU regions or at least for all EU15 regions, it was practically extremely difficult to collect the needed data and mainly such an analysis escapes from the objective of this work. So, two member states were chosen to be analyzed, as it is practically possible to elaborate data from only two countries and in the same time there is the ability to make comparisons and draw more rational conclusions. Data from French and Spanish regions were used to this analysis for some very specific reasons:

Firstly, France and Spain are almost of equal size, share borders and both considered to be considerable economies in EU 15 . Moreover, both countries have ex-colonies in many parts of the world and their languages are spoken from a high proportion of the population worldwide. In addition, Spain and France are of the most popular migration destinations. These similarities could make it possible to claim that there is a common base between the two countries which prevent the analysis from extreme differences in primary conditions.

Secondly, on the other hand there are several disparities regarding the culture of migration and economic development each country have. In other words, France has a long history as an international migration destination while Spain until twenty years ago was rather a country of origin. Also, there are different growth levels between the two member states. It could be said that beside both countries considered generally as economically developed, in fact

they are in different stages of development. In Spain fast economic growth was introduced three decades ago, but France was always considered an economically developed country. The differences mentioned above along with cultural and policy disparities between the chosen member states, creates a further interest for these specific countries to be analyzed.

There are two dependent variables examined in this analysis:

- a) The GDP per capital in PPS.

Gross domestic product (GDP) is a measure for the economic activity. It is defined as the value of all goods and services produced less the value of any goods or services used in their creation. Basic figures are expressed in PPS, i.e. a common currency that eliminates the differences in price levels between countries allowing meaningful volume comparisons of GDP between regions. (Eurostat)

- b) Net Migration

Net migration is equal to the net balance between immigration to and emigration from an area, expressed as a number of persons (Eurostat). In this sense, it is a measure of 'regional attractiveness' for international migrants. Net migration flows at regional level have to be related to the population size of each region.

2.2.1 PRESENTATION OF DATA

As Spain is regarded, the Secreteria de Estado De Inmigracion y Emigracion (department of Ministry of Work) provides detailed data about immigrants, from 1997-2008. Data were separated into tables presenting at a NUTS 2 level, the evolution of total population by province, the evolution of immigrants population by age, sex and province, the evolution of active migration, the evolution of registered contrasts corresponding to foreign workers and total number of contracts registered by sex, economic sector and region and finally the evolution of registered contracts corresponding to foreign workers by region and education level. The analysis of the above data could help the reader understand migration flows importance of each region's economic growth. Unfortunately, data about France was not such reachable. In

this last case, regional data are limited to a few numbers of years (census years: 1990, 1999 and 2004).

As data from Eurostat are concerned, data on population and net migration are available for the period 2005-2008 for Spain, and 2000-2007 for France. So the period considered is finally the recent period 2005-2007 while for GDP per capita, data are available for 1996-2007 which allows us to take into account the previous economic development (for example period 2000-2005) at regional level.

2.2.2 RESULTS

During the last decade (2000 – 2008), the number of immigrants has increased from around 815000 to 4238000 in Spain which corresponds to an average annual rate of nearly 23%, reflecting clearly that Spain is one of the most attractive country of EU for economic migrants: the immigrants represent around 10% of the total population against less than 2% in 2000. As regards France, the number of immigrants is still increasing with a limited annual rate of growth (around 2,3% during the period 1999-2006) so that the percent of immigrants in the total population is remaining quite stable: 7,8% in 2006 against 7,4% in 1999. It is almost interesting to mention that, according to INSEE, the number of foreigners has increased more quickly than the nationals in between the two last censuses: 8,7% against 4,9% (Régnard, 2009)

As regards the geographical distribution of immigrants, it appears (Table 2.3) that the concentration of immigrants is very pronounced in the most important regions of France and Spain. If the 3 main regions of France, in terms of population as well as economic production represent 36% of the total population, they concentrate more than 59% of the immigrants. Generally for all the other regions, the percent of immigrants is less than the relative percent for total population, suggesting that the development level of each region and its capacity to produce goods and services have a direct impact on migrants' flows. A quite similar scheme is observed in Spain: the four biggest regions of the country concentrate around 61% of the total population and more than 68% of the total number of immigrants in Spain.

Table 2.3: Regional Distribution of Population (Total and immigrants)

FRANCE(*)	Total population	Immigrants	SPAIN(**)	Total population	Immigrants
Île-de-France	18,8	39,1	Andalucia	18,6	13,0
Rhône-Alpes	9,8	10,6	Cataluña	16,7	23,0
Provence-Alpes-Côte d'Azur	7,8	9,4	Comunidad de Madrid	14,3	18,8
Nord-Pas-de-Calais	6,5	3,6	Comunidad Valenciana	11,3	13,6
Pays de la Loire	5,6	1,7	Galicia	6,3	2,0
Aquitaine	5,1	3,6	Castilla y León	5,8	4,0
Bretagne	5,0	1,4	Pais Vasco	4,9	2,3
Midi-Pyrénées	4,5	4,0	Castilla-la Mancha	4,6	4,6
Languedoc-Roussillon	4,1	4,5	Región de Murcia	3,3	4,7
Centre	4,1	2,8	Aragón	3,0	4,1
Lorraine	3,8	3,5	Extremadura	2,5	0,9
Picardie	3,1	1,8	Principado de Asturias	2,4	0,9
Alsace	3,0	3,6	Illes Balears	2,4	4,5
Haute-Normandie	2,9	1,4	Comunidad Foral de Navarra	1,4	1,5
Poitou-Charentes	2,8	1,1	Cantabria	1,3	0,8
Bourgogne	2,7	1,8	La Rioja	0,7	1,0
Basse-Normandie	2,4	0,7	Ciudad Autónoma de Ceuta	0,2	0,1
Champagne-Ardenne	2,2	1,4	Ciudad Autónoma de Melilla	0,2	0,2
Auvergne	2,2	1,3	Total	100,0	100,0
Franche-Comté	1,9	1,5			
Limousin	1,2	0,6			
Corse	0,5	0,5			
Total	100,0	100,0			

(*) Data for France concern 2006 (**) Data for Spain: 2008

Source: France: INSEE, Census data, Spain : Department of Ministry of Work.

If in **absolute terms**, there is a logical concentration of immigrants in the biggest regions of France and Spain, the **relative weight** of immigrants in the regional population reflects a relatively different situation (Table 2.4). In France, except the three main economic region of the country (Ile de France, Rhone-Alpes and PACA) some other regions – especially in the East part of the country- also present a relative high weight of immigrants: there is a real opposition between East and West. As regards Spain, the relative weight of immigrants is quite important not only in the developed regions of Madrid, Cataluna or Valenciana but also in other regions with important touristic activity (Iles Balears) or regions with geographical situation which favoured the entrances of foreigners as it is the case of the region of Murcia.

Table 2.4. Percent of immigrants in the total population

FRANCE	Number of immigrants	% of Total population	SPAIN	Number of immigrants	% of Total population
Île-de-France	1.872.641	16,2	Andalucia	551.771	6,9
Rhône-Alpes	509.334	8,5	Cataluña	974.743	13,5
Provence-Alpes-Côte d'Azur	449.994	9,3	Comunidad de Madrid	796.979	12,9
Nord-Pas-de-Calais	171.252	4,3	Comunidad Valenciana	577.615	11,8
Pays de la Loire	83.500	2,4	Galicia	85.618	3,1
Aquitaine	173.047	5,5	Castilla y León	170.262	6,8
Bretagne	65.772	2,1	Pais Vasco	96.635	4,5
Midi-Pyrénées	191.151	6,9	Castilla-la Mancha	192.948	9,8
Languedoc-Roussillon	217.485	8,6	Región de Murcia	197.805	14,0
Centre	135.986	5,4	Aragón	173.937	13,4
Lorraine	170.118	7,3	Extremadura	39.566	3,7
Picardie	84.913	4,5	Principado de Asturias	38.221	3,6
Alsace	170.858	9,4	Illes Balears	189.707	18,2
Haute-Normandie	68.325	3,8	Comunidad Foral de Navarra	63.072	10,4
Poitou-Charentes	53.535	3,1	Cantabria	33.713	5,9
Bourgogne	87.560	5,4	La Rioja	44.322	14,2
Basse-Normandie	33.155	2,3	Ciudad Autónoma de Ceuta	4.045	5,6
Champagne-Ardenne	67.049	5,0	Ciudad Autónoma de Melilla	6.929	9,9
Auvergne	60.562	4,5	Total	4.237.888	9,8
Franche-Comté	71.145	6,2			
Limousin	31.055	4,2			
Corse	25.430	8,6			
Total	4.795.874	7,8			

(*) Data for France concern 2006

(**) Data for Spain: 2008

Source: France: INSEE, Census data, Spain : Department of Ministry of Work.

From the above table, it is difficult finally to admit that migration flows is necessarily an important force as regards the differential of development level at regional level. The attractiveness of the regions is not only based on economic factors even if they play a central role. Especially in the case of Spain, it seems that other aspects as geographical location and accessibility of the regions are quite determinant aspects. In France, the high polarization of the economic activity seems to be one of the most determinant forces as regards the relative importance of migration flows.

In order to test the existence of a significant relation between net migration flows and regional growth, we proceed to a formal econometric test, using a simple panel data econometric model in the spirit of Barro and Sala-i-Martin (1995). The econometric model used for each one of the two countries, covers the period 2004-2007 and is the following:

$$DY_t^i = a \ln(Y_{t-1}^i) + bMB_t^i + \lambda_t + \mu^i$$

Where $DY_t^i = \ln(Y_t^i) - \ln(Y_{t-1}^i)$ = rate of growth for the region i at time t

MB_t^i = net migration flows at time t for the region i . The net migration flows concern the net inflow or outflow expressed as share of the population of the region i.

Time and space fixed effects are introduced in the model through the variables λ_t for time and μ^i for space (regions). The results of the model are summarized in the following table:

Test of significance of the relation between rate of growth and net migration flows

Dependent variable: $DY_t^i = \ln(Y_t^i) - \ln(Y_{t-1}^i)$ = rate of growth for the region i at time t

(a) Spain: panel data: 2004-2007 and 18 regions

	Unstandardized Coefficients		Student	Sig.
	Coefficient	Std Error		
Constant	,193	,074	2,612	,011**
GDP per capita at (t-1)	-,013	,007	-1,737	,087
Net migration flows at time t	-,001	,000	-6,250	,000**

$R^2 = 0,575$, $F = 22,707^{**}$, $d = 1,931$

(b) France: panel data: 2004-2007 and 22 metropolitan regions

	Unstandardized Coefficients		Student	Sig.
	Coefficient	Std Error		
Constant	,078	,100	0,783	,436
GDP per capita at (t-1)	-,005	,010	-0,522	,603
Net migration flows at time t	,007	,000	0,184	,755

$R^2 = 0,133$, $F = 4,185^*$, $d = 1,726$

The data analysis does not confirm the existence of obvious relation between the two variables. In case of France, the relation is absolutely not significant (student test). As regards Spain, we observed a significant relation between the Net migration flows and the rate of growth. The coefficient is significant at $\alpha=1\%$ but we have to note that the relation is negative. In other terms, there is a negative correlation between economic growth and net migration balance which means that during the recent past, the region with lowest rates of growth are regions with highest net migration balance.

Even for a longer period, data showed that the most dynamic regions, with high GDP per capital level from 2001 until 2007 are considered Comunidad de Madrid, Comunidad de Navarra, Pais Vasco and Cataluña while regions with the greatest number of foreigners are Illes Balears, La Rioja, Region de Murcia and Cataluña. Apart from Cataluña, reality confirms the negative non linear correlation between regional growth and net migration balance as the most dynamic in GDP regions are not among the most popular in migration flows. In fact, the last regions are very low in the GDP distribution.

2.3 CONCLUSIONS

After the above analysis it could be said that in national level is the prime developmental situation which plays the biggest role in the economic growth. The presence of high absolute number of foreigners in developed countries does not mean the migration absence in less developed countries. Hence, there are many more determinants, social, cultural, spatial etc influencing the immigrants' distribution among the EU member states. Finally

are migration policies which interfere in migration flows distribution which could change the whole picture of the situation. Restrictive or not, focused on demand, with a great level of selectiveness influences on immigrants impact on economic development.

Nevertheless, in a regional level where migration policies are the same for all regions, the existing economic level of the member is once again the most important determinant which makes French regions to present A non significance linear correlation between net migration and economic growth and Spanish regions to present a negative one.

Inequalities in economic growth in EU 15 do seem to become greater and migration flows may make them even greater but from a different aspect: the less developed member states are due to their geographical position very sensitive to irregular migration flows which could influence inequalities in a more intense degree than managed numbers of migration. In that case the migration management through EU and national migration policies are important to prevent further disparities a question to be discussed in the next section of this work.

3 THE RECENT HISTORY OF EUROPEAN MIGRATION FLOWS AND EU MIGRATION POLICIES

After analyzing the theoretical part and empirical aspects in the issue of international migration flows and regional inequalities in EU, it is time to explore historical points which influence the nature of migration flows and their footsteps in the European continent. Moreover, in this chapter is presented the formal EU attitude on migration flows: EU migration policies.

3.1 EUROPE AND MIGRATION FROM 1950 TO PRESENT

Throughout the second half of the 20th century, Europe has experienced several migration periods. The period after the end of the second-world-war is characterized by the return of the ethnic citizens to their country of origin. Moreover, the reconstruction of Europe demanded a large labor shortage which brought employment-related migration flows. Major migration flows within Europe and from developing countries contributed to the economic development and unparalleled growth which took place in Europe between 1945-1975. This period is known as the ‘Trente Glorieuses’ as the heavy industrial manufacturing, building and public sector development led to a strong economic growth of the Western European countries. Migrants were recruited by governments, firms and private agencies. Increased production lead to more and more intensive trade flows and the large wave of migrants from all countries which faced stagnating economies and high unemployment rates (Ireland, Greece, Portugal, Spain and, to a lesser extent, Italy, North Africa, Turkey, the former Yugoslavia and, in the particular case of the United Kingdom, the former Commonwealth) at first met the labor market needs of Western Europe. The creation of the EEC in 1957 has mainly contributed to allow the free movement of persons between the six founding states (Belgium, France, Germany, Italy, Luxembourg and the Netherlands) leading to a large wave of Italian workers to move to the other five countries on the late 60ties. In the following years Germany and Switzerland signed many agreements, with Italy (1955), Greece and Spain (1960), Turkey (1961), Morocco (1963),Portugal (1964), Tunisia (1965) and Yugoslavia (1968), Belgium, France, the Netherlands, Luxembourg. It worth saying that in this period, on

one hand, host countries have the same economic growth pattern and their firms obtained cheap labor and on the other hand immigrant workers have greater employment opportunities than in their home country, sending frequently remittances home to their families. Moreover, it was likely that after a period of work abroad, migrant workers would return home with newly acquired skills. Workers usually were afforded temporary work permits and work contracts, generally renewed on an annual basis. In the 60ties more than 30 million foreign workers entered the European Economic Community including temporary workers and multiple entries¹.

The economic crisis of the 1973 forced several European countries to reduce immigration and governments stopped active recruitment policies due to growing unemployment and increasing social tensions. Governments also implemented policies with the aim of encouraging migrant workers to return to their home countries but it did not lead to a massive return of immigrants to their home country as many immigrants decided to remain in the host country to benefit from social rights, which were similar to native workers. Two years after the 1973 crisis, according to estimations of United Nations, only the 10% of immigrant workers returned to their country of origin². For example, while the intra – Community migration was stable due to the economic crisis and the salary coherence, in Germany, the foreign population increased from 4 million in 1973 to 4.5 million in 1980 (H. Werner, 1999). In such a context, the European Community countries noted that migration was part of a process not only reflecting the needs of the labor market, but also including a strong family component and a social cost linked to the presence of second generations. In the late 1980s, fundamental changes are observed, so that Europe entered in a new phase of migration: the traditional emigration countries in Europe, such as Spain, Italy, Ireland, Greece and Portugal, gradually became countries of immigration. Moreover, immigrants were no longer only coming from former colonies, but from a more diverse group of countries, like sub-Saharan Africa and Asia. For the first time, appeared migration entry channels due to political changes occurring in Central and Eastern Europe as well as in the former

¹ P. Stalker, 1994, 'The work of Strangers'

² United Nations, 'Trends in total migrant stock: The 2005 revision', 2006

Yugoslavia and Northern Iraq. This new situation led to large flows of asylum seekers and refugees from those areas. The increase in asylum applications stemmed from the fact that numerous migrants had recourse to this entry channel, which remained their only possibility due to increased restrictions in migration policies. One of the most important fact of this period is the family reunification flows in several European countries of the OECD with a renewed interest in employment-related migration, especially for skilled and highly skilled labor in the late 1990s³. East-West migration movement of ethnic minorities increased after the opening of frontiers and the collapse of the former USSR. In 1989 and 1990, more than 620 000 people of German ethnic descent entered Germany originating from Poland, Romania and the former Soviet Union. Other countries such as Greece and Finland also recorded the return of ethnic minorities originating from the former Soviet Union and in the case of Finland, from the Baltic States. Moreover, the flow of the Romanian people, mostly from Romania, Bulgaria, the Slovak Republic and the Czech Republic, increased the ranks of other ethnic minorities in certain countries of Western Europe.

On the one hand, the intensity of the late 1990s expansion phase and, on the other, the development of information and communication technology, health and education, sectors which require skilled and highly-skilled labor in shortage resulted to the increase in permanent migration and especially temporary employment-related migration observed in some countries. In the case of Italy, Spain, Greece and Portugal the increase also includes unskilled foreign labor, especially in agriculture, building and public works, and domestic services. All temporary labor migration categories are on the rise since 1998, especially in Germany and the United Kingdom. Recent policies implemented to facilitate the recruitment of foreign labor have the tendency to favor solutions with temporary foreign workers. Foreign students also can contribute to help reduce labor shortages in host countries. The number of foreign students is quite important in several countries of the European Union (United Kingdom, Germany, France and Spain) and in Switzerland⁴. The 1990s

³ Employment Outlook, OECD 2001

⁴ International Mobility of the Highly Skilled, OECD, 2002

have shown an increasing proportion of women among migrants, also known as the feminization of migration flows. This trend is particularly visible in France, Greece, Spain, Sweden, the United Kingdom and Italy.

Concluding and in regards to European migration since the mid-1950s it is important to highlight three events:

- The persistence during the whole period of irregular migration and the employment of undocumented workers
- Naturalizations and mixed marriages, which in many European Union countries have led to an increasing number of foreigners who join the ranks of nationals.
- A deep diversification of geographical origins of migrants with important social and economic consequences

3.2 EU MIGRATION POLICIES

3.2.1 *THE BASIS OF THE EU MIGRATION POLICIES*

3.2.1.1 THE SINGLE EUROPEAN ACT (1986)

The Single European Act enforced by the Article 3 of the Treaty of Rome highlighted the issue of non-European migration in Europe. Particularly, the prospect of return to economic growth in the 1980s pushed the issue upwards the agenda and it was further promoted by the developments in East and Central Europe in 1989 and 1990. The EC was faced not only with the prospect of attracting labour from East, but of the inward migration's pressure from the south. Racial problems in several parts of the EC caused serious troubling amongst the continental member states in particular, and guided the Italian government in the second half of the 1990s to propose a new charter of rights for non EC migrant. Despite the lack of any new legal bases related to migration, cooperation on migration policy issues was for the first time institutionalized. In 1986, an AD-hoc Immigration Group was formed and meetings of Interior Ministers became semi-regular⁵. Under current regulations, the migrant worker has the right to be accompanied by his

⁵ Papagiannh, (2008), Institutional and Policy Dynamics of EU Migration Law, Martinus Nijhoff Publishers 1:9

immediate family. Regulation 1612/68 entitled a worker to be joined by his or her spouse and descendants under the age of 21 who are dependent relatives in the ascending line of the worker or spouse. Barnes argues that

Following the publication of the White Paper on the Single Market in 1985, the Commission proposed that the 1968 Regulation should be extended to include any other dependent member of the family living under the roof of the migrant in the country of origin (Barnes, 1995: 108).

3.2.1.2 THE TREATY OF THE EUROPEAN UNION (1992)

The TEU⁶ did not draw together the framework into a coherent policy. Rather, it continued the fragmented response of the past. The common visa policy was introduced in the TEU by means of the action of the new Article 100c. Thus the EU was considered as the internationally recognized competent body to deal with the matter. The past visa requirements of each member state should be replaced by a uniform format for visas by the year 1996. An agreement took place in 1994 among the states participating in the project. Apart from that, asylum and immigration issues were under the status of intergovernmental agreements between the Member States and to the application of the principle of subsidiarity. Various bilateral and intergovernmental agreements have been reached, which were not included in the remit of the European Parliament and the Commission. A decision was reached among the Member States at Maastricht on a definition of the European Citizenship, on December 1991. According to Barnes, “Article 8 of the revised provisions of the European Community Treaty defined a citizen of the EU as every person holding the nationality of the Member State” (Barnes, 1995: 113). Citizens of the EU defined so, have the right of free movement and residence in the EU. The Member States established a number of cooperative frameworks in order to discuss people’s movement. The Commission’s report conceived third country immigration as an economic phenomenon, which is rooted in history, whereas the right of asylum was regarded as a right and humanitarian challenge (Lodge, 1993: 329). The two categories were to overlap most poignantly in respect of the influx of people, notably into what

⁶ Treaty of The European Union

were the five German Lander from Central and Eastern Europe. All members have ratified the Geneva Convention and put into major humanitarian commitments aimed at giving protection to individuals having a good reason to fear persecution.

3.2.2 *THE FREE MOVEMENT OF EUROPEAN CITIZENS – THE BORDERS’ CONTROL*

3.2.2.1 THE SCHENGEN AGREEMENT (1985)

A new page in the issue opened in 1985 with the Schengen Agreement, which was signed by France, Germany, Belgium, Netherlands and Luxemburg. Particularly, the Part II of the agreement referred to the free movement of people. A computerized information system (Schengen Information System, SIS) was developed to link the national governments through a central unit in Brussels. The Schengen Information System contained information on people wanted by the police of the states who had signed the Agreement. It had originally been planned to have the SIS in place for the beginning of 1993, but the date of its operation was transferred to March 1995.

The Schengen Agreement listed 45 countries, whose nationals would be subject to border controls. The Agreement was signed in June 1990 based on the fact that border controls would apply at East Germany’s borders with Poland and ex-Czechoslovakia. On December 21st 2007, the Schengen area underwent an historic eastward expansion, taking in new EU members Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovenia, Slovakia and the Czech Republic. The area also includes two non-EU members, Iceland and Norway. Britain and Ireland have chosen to maintain their border controls indefinitely, while Bulgaria, Cyprus and Romania are not yet ready to join. The EU provided almost \$1 billion to the new members to bring their border and visa regimes up to Schengen standards. This was important for giving West Europeans confidence since the EU’s common frontier now reaches the Balkans, Belarus, Russia and Ukraine.

Nonetheless, interior officials in the Schengen area reported an increase in illegal immigration immediately after the lifting of controls. The EU’s southern frontiers, are forcing Schengen countries to think about how they can better co-ordinate internal controls to detect illegal immigrants. Schengen is

not anymore a simple agreement about the abolition of border controls because the new system (SIS II) has much greater capacity, especially as regards its capability to store and exchange biometric data.

3.2.3 THROUGH A COMMON ASYLUM AND IMMIGRATION POLICY

During the last decade, European Union has progressively adopted a common policy. It is possible to mention three main steps:

1. *European council meeting in Laeken (2001)*

The European Council on the basis of the Tampere conclusions adopted a common policy on asylum and immigration, in order to maintain the necessary balance between protection of refugees, in accordance with the principles of the 1951 Geneva Convention, the legitimate aspiration to a better life and the reception capacities of the Union and its Member States. A common asylum and migration policy was designed targeting on : Firstly, the integration of the policy on migratory flows into the European Union's foreign policy. In particular, the European Council called for an action plan to be developed on the basis of the Commission communication on illegal immigration and the smuggling of human beings; Secondly, the development of a European system for exchanging information on asylum, migration and countries of origin, Thirdly, the implementation of Eurodac and a Regulation for the more efficient application of the Dublin Convention, with rapid and efficient procedures. The Dublin Convention proposed that if a member state accepted an asylum seeker, all member states would accept him as well⁷. Fourthly the establishment of common standards on procedures for asylum, reception and family reunification, including accelerated procedures where justified. These standards should take account of the necessary assistance to asylum applicants and the establishment of specific programmes to defeat discrimination and racism.

Better management of the Union's external border controls were considered to help in the fight against illegal immigration networks and the

⁷ Barnes , Ian and Barnes Pamela (1995) , "The enlarged European Union", Longman, N.York

traffic in human beings. The European Council asked the Council and the Commission to work out arrangements for cooperation between services responsible for external border control and to examine the conditions in which a mechanism or common services to control external borders could be created. It asked the Council and the Member States to take steps to set up a common visa identification system and to examine the possibility of setting up common consular offices. The most important achievements of the European Council in Leaken were the European Refugee Fund, the Eurodac Regulation and the Directive on temporary protection.

2. *Thessaloniki European council, 2003*

The European Council of Seville emphasized the need to speed up the implementation of all aspects of the programme approved at Tampere, especially on matters relating to the development of a common European policy on asylum and migration.

Given the top political priority ascribed to migration, it was admitted the need for a more structured EU policy, which could cover the whole spectrum of relations with third countries including the prompt conclusion of readmission agreements with key third countries of origin as well as the promotion of further cooperation with them to be viewed as a two-way process in order to combat illegal migration and to explore legal migration channels under specific terms of reference.. Furthermore, the existing financial means of the disposal for the years 2004-2006 were reviewed, as budgetary discipline reflected as a political priority of the Community. The European Council seeks to focus on: *'The development of a common policy on illegal immigration, external borders, the return of illegal migrants and cooperation with third countries'*.

The implementation of the common policy required at the same time common mechanisms. For this reason, the Council conclusions of 5 June 2003 considered that the development of the Visa Information System (VIS), is an absolute necessity so that orientations should be determined as soon as possible, in order to satisfy the preferred options, with regard to the planning for the development of the system, the appropriate legal basis which could

permit its establishment and the engagement of the necessary financial means, while respecting the financial perspectives. In this framework a coherent approach was needed in the EU on biometric identifiers or biometric data, which would result in harmonized solutions for documents for third country citizens, EU citizens' passports and information systems (VIS and SIS II). The European Council invited the Commission to prepare the appropriate proposals, starting with visas, while fully respecting the envisaged timetable for the introduction of the Schengen Information System II.

3. *The Hague program*

The Hague Programme, created by the European Council in November 2004, set out the immigration policy agenda for the years 2005 to 2010⁸. The programme emphasizes the need for a comprehensive approach to all stages of immigration. As regards legal migration, the Programme notes: 'Legal migration will play an important role in enhancing the knowledge-based economy in Europe, in advancing economic development, and thus contributing to the implementation of the Lisbon strategy. It could also play a role in partnerships with third countries. The European Council emphasizes that the determination of volumes of admission of labour migrants is a competence of the Member States'⁹. Because integration of third country nationals is viewed as important to social stability and cohesion, the programme envisages the establishment of common basic principles. Under The Hague Programme, the Directive for the facilitation of the admission of students¹⁰ and researchers¹⁶ into the EU was adopted. It is also worth mentioning that following a request in the Hague Programme, the Commission

⁸ Council of the European Union, The Hague Programme: strengthening freedom, security and justice in the European Union 16054/04, Brussels, 13 December 2004.

⁹ The Hague Programme 2004, p. 10

¹⁰ Council 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, adopted on 13 December 2004 and entered into force on 12 January 2005, OJ 2004 L 375/12. Member States' legislation had to comply with this Directive by 12 January 2007.

put forward a Communication on the Evaluation of EU Policies on Freedom, Security and Justice.¹¹

3.2.4 *MIGRATION AND DEVELOPMENT POLICY*

The question is not anymore limited to the control of migration flows and security measures, but migration is now considered as a component of the European development policy.

In September 2005 the Commission adopted the communication ‘Migration and development: some concrete orientations’¹². This Communication constituted the response of the European Union to submit concrete orientations to improve the impact of migration on the development of countries of origin in a number of fields. The Communication identified a number of concrete orientations in the following areas: Remittances, facilitating the involvement of willing diaspora members in the development of countries of origin, facilitating brain circulation and limiting the impact of brain drain.

3.2.5 *THE REGULATION AND MANAGEMENT OF MIGRATION FLOWS: A TRUE CHALLENGE FOR E.U.*

In 2005-2006, the EU has tried to take a ‘global approach’ to factors that drive migration flows, by member-states bringing together all migration-relevant policy areas in a more coherent way, such as measures to fight illegal immigration, overseas development, managing demand for skilled labour, and action against traffickers. As priority areas for the global approach were considered Africa and non-EU countries in Eastern and South-Eastern Europe. One of the main targets for the EU is the easier negotiation of visa regimes and to help governments in these regions to train border guards and immigration officials. Moreover, EU was willing to reduce the push factors that force migration by focusing development efforts on poverty alleviation.

The European Council defines the comprehensive EU migration policy as a coherent and efficient manner to respond to the challenges and

¹¹ COM (2006) 332, 28 June 2006.

¹² COM (2005) 309

opportunities related migration. Built on the conclusions of the Tampere European Council, The Hague Programme and the Global Approach, involves all migration stages and aims to highlight the benefits of legal migration and to fight illegal migration based on the principles of subsidiarity, proportionality, solidarity, on the legal systems and traditions of the member states and with regard to fundamental human rights and the Geneva-Convention. Packages of proposals were consisted such as Regional Protection Programs, a Directive on return of legal migrants, a Communication on Migration and Development and a Common framework for integration. The European Council has called a partnership with the third countries in the context of the comprehensive policy and the focus of implementation has been on Africa and the Euro-Mediterranean region.

In 2007 the European Council agreed upon strengthen and deepen international cooperation and dialogue with third countries (European Council, 2006: 7) of origin and transit. In particular the partnership between the European Union and African and Mediterranean countries was deepened by specific EU missions sent to key African countries during 2007. Moreover, EU members in order to address the root causes of migration decided to increase coherence between the Union's various policies, including their financial instruments. In addition, migration and development issues was decided to be integrated in aid policies and programming for encouraging the countries of origin and transit to incorporate migration issues in their national development plans, including poverty reduction strategies, and support capacity building for effective migration management, including through establishment of country-specific migration profiles. Regional and country strategy papers should highlight the connection between development and migration and for addressing this issue in the short and medium-term, the Commission initiated a EU Programme on Migration and Development in Africa . The Joint Africa – EU Declaration on Migration and development signed to commit to a partnership between countries of origin, transit and some important measures included migration management being a major part of the development plan of Africa, creating mechanisms and channels that facilitate circular migration and

encouraging and promoting Foreign Direct Investment in order to generate employment and reduce migration outflow.¹³

Continuously, country-specific cooperation platforms on migration and development was thought to be established for bringing together the partner country concerned, EU Member States and the Commission, as well as relevant international organizations, to manage migration in a more coherent manner while taking measures to improve cooperation on return and readmission with third countries, including effective identification and documentation. Emphasis was given to the reintegration of returned migrants and to speed up negotiations on EC readmission agreements.

Another important step to a coherence migration EU police stepping up was the concrete work along migratory routes in partnership with third countries in particular with a view to preventing and combating trafficking and smuggling of human beings, while ensuring effective international protection for persons who may need it as well as for vulnerable groups such as women and providing specific measures for unaccompanied minors. In addition, consideration was given to how legal migration opportunities can be incorporated into the Union's external policies in order to develop a balanced partnership with third countries adapted to specific EU Member States' labour market needs, such as ways and means to facilitate circular and temporary migration.

In the same context EU members agreed on the Global Approach to be applied to the eastern and south eastern regions neighbouring the European Union. In regard to this, firstly cooperation among Member States to cope with illegal immigration (European Council, 2006: 9) should be strengthened, taking account of the Commission communication on policy priorities. In particular, to intensify the development of measures against illegal employment at Member State and EU level, while existing and new technological possibilities to be fully utilized to enhance border control and to allow persons to be identified reliably. Moreover, the Commission was invited to study the possibilities of developing policies for extended European solidarity in

¹³ <http://www.unhcr.org/refworld/category,POLICY,EU,,,47dfb010,0.html>, last modified on the 26th August 2010

immigration, border control and asylum policies such as to improve the management of the European Union's external border (European Council, 2006: 10) on the basis of the integrated border management strategy adopted by the Council in 2006. In particular, Frontex was invited to finalise its ongoing work on creation of a centralized record of technical equipment offered by Member States, which could be put at the disposal of another Member State. Priority was also given to examining the creation of a European Surveillance System for the southern maritime borders as Frontex, together with the Member States of the region was invited to establish a permanent Coastal Patrol Network at the southern maritime borders. As far as legal migration is concerned, (European Council, 2006: 11), EU Council agreed to develop well-managed migration policies, fully respecting national competences, to assist Member States to meet existing and future labour needs, while contributing to the sustainable development of all countries. Specifically, were examined the Commission proposals within the framework of the Policy Plan on Legal Migration of December 2005 and Member States were invited to exchange information on measures taken in the areas of asylum and migration, in line with the mutual information mechanism established by the Council. Finally, EU proposed to be made adequate resources available for implementing the comprehensive migration policy by full use of the substantial funds consistently and coherently. In that respect the Refugee Fund, the External Frontiers Fund, the Return Fund and the Integration Fund will bring important resources to underpin the comprehensive migration policy, as will the ENPI and the Development Cooperation Instrument (DCI). The EDF will also, in agreement with ACP partners, helps the EU to address root causes of migration through examining results of long-term development policies, as well as by assistance to ACP partners in capacity building in the framework of the EU Governance Initiative.

3.3 CONCLUSIONS

Fragmented regulations and measures proved unsuccessful and EU has for a long term targeting to create a *common* migration policy. Moreover, the European Union's immigration policy seeks to be a balancing act which seems to be a great challenge. On the one hand Europe needs more immigrants because of its shrinking population and on the other it wants to prevent illegal immigration more effectively. For example, northern EU countries were annoyed in 2005, when Spain gave residency to 750,000 illegal immigrants as they believe such amnesties are a 'pull factor' that spark off mass migrations to Europe. In addition, Spain and Mediterranean countries also seek from the EU financial resources to help them control the burden of being the EU's gateway. Cyprus, Greece, Malta, Portugal and Spain have all criticized the EU for not helping them enough with large-scale migration from Africa and the Middle East.

Nowadays, EU migration policy has three important dimensions: Legal migration as a part of the development process is in relevance with the selective migration policy. EU as seeking to become a knowledge based economy recognizes as the only migrants needed, the highly-skilled. To avoid brain drain effects EU supports temporary migration and invests on migrants returning (to their origin countries) programs. Illegal migration is dealt with zero tolerance by EU adopting restrict boarder controls and deportations of illegal aliens, already entered member-states. Finally, upcoming international migration flows prevention includes agreements and financial help with the most important origin countries like Africa.

4. TOWARDS A SELECTIVE MIGRATION POLICY IN EU: HIGH SKILLED WORKERS

Relying on the so called ‘theory of endogenous growth’ (or ‘New Growth Theory’) which constitutes an economic theory on the explanation of economic growth, the economy of a country will grow faster if it accumulates human capital. Thus, the immigration of (highly) qualified workers will contribute to wealth and growth in the destination country and lead to an increased per capita GDP (Geschrieben von: Daniel Naujoks, 2006). European economies seem to appreciate this theory and increasingly perceive themselves to be engaged in a global competition for talent, trying with their policies to draw skilled workers from the United States, Canada, and Australia.

Whether or not this view is justified, it is clear enough that the vast majority of industrialized countries have stated that the type of migrant they wish to attract is the highly skilled and the type they wish to limit or deter is low-skilled workers. The immigration pact during the October 2008 European Union summit made it clear that the 27 Member States wish to select those skills they need and place limits on other types of migration. While some Member States objected to the term *immigration choisie* (‘selected immigration’), the term transformed to a policy formulation that has been developed in many European systems.¹⁴

There are many reasons for politicians supporting highly skilled migration. Firstly, high qualified migrants provide clear economic benefits as they pay more taxes and spend more cash and are less likely to be out of work or use social security systems. This type of migrants bring with them skills capable of contributing to future growth, through innovation, research or entrepreneurship and building businesses. Secondly, highly skilled migrants raise fewer concerns about the impact on native workers. With the unemployment rate increasing the rationale for importing even more labor seems forbidden, as immigrants are perceived to replace native workers. Moreover, low skilled need to be trained which requires a long-term and high-

¹⁴ Elizabeth Collett, *The EU Immigration Pact: From Hague to Stockholm via Paris* (Brussels: European Policy Center, October 2008), www.epc.eu/TEWN/pdf/304970248_EU%20Immigration%20Pact.pdf

cost process whereas skilled jobs can be filled immediately, at least in theory. Thirdly, highly skilled migrants are thought to integrate into the labor market more easily than the low skilled while are perceived as less likely to require welfare services and less likely to threaten social cohesion.

EU believes that lacks behind in attracting the brightest as itself has far fewer high-skilled foreign workers (1.72 percent) than other immigration countries, notably Canada (7.3 percent), Switzerland (5.3 percent), and the United States (3.2 percent), and that European countries need to work together to find ways of attracting the highly skilled.

4.1 EU PROPOSALS FOR A HIGHLY QUALIFIED MIGRANTS DIRECTIVE

In 2007 EU enterprises had difficulties in filling current job vacancies, especially for highly qualified workers. The data was showing the EU witnessing an employment growth of 3% per year in high education sectors (1% in other sectors). Moreover, there was a change in the occupational structure in favor of highly-skilled non-manual workers and, for these workers, high employment rates coupled with low unemployment rates (83.2% against 4.8%). The limited mobility of EU citizens and to mismatches between educational and professional choices and labour market needs had led ten Member States to set up specific schemes to attract highly qualified immigrants, while many others were considering it, at that time. The EU, however, with 1.72% third-country highly qualified workers of the total of the employed population, lags behind all the other main immigration countries, such as Australia (9.9%), Canada (7.3%), US (3.2%) and Switzerland (5.3%) which highlights the difficulty for the EU in attracting and valorizing these immigrant workers.¹⁵

On 23 October 2007, the European Commission presented a ‘Proposal for a Highly Qualified Migrants Directive’. According to the European Commission, by harmonizing the admission of the high skilled workers and promoting their efficient allocation and reallocation within the EU labor market will be improved the competitiveness of the EU economy. This proposal is

¹⁵ Attractive conditions for the admission and residence of highly qualified immigrants - *guide23 October 2007* by [eub2](#) -- last modified 23 October 2007

therefore in line with the objectives set out in the Lisbon Strategy. However, member -states will maintain control over admission to their labour markets. The Proposal also underlines and reinforces the Community Preference Principle¹⁶ and is in accordance with the December 2005 Commission Communication, Policy Plan on Legal Migration (COM(2005)669), that envisaged, for the period from 2007 to 2009, the adoption of five legislative proposals .

The Proposal includes a fast-track procedure qualifications and a minimum salary level. In particular, since labor market needs differ from Member State to Member State, the proposed common system combines harmonization with flexibility in the following ways:

- A fast-track procedure for the admission of highly qualified third-country workers based on common criteria: a work contract, professional qualifications and a minimum salary level which has to be at least three times the level of existing minimum wages at national level
- Has been created a specific scheme for ‘young professionals’
- Workers admitted under these schemes will receive the ‘EU Blue Card’

Based on a 2005 European Commission Policy Plan the Blue Card was also proposed in 2007 and needed many years for the member states to reach a compromise. The Council of the European Union adopted the Directive on the Blue Card on 25 May 2009¹⁷, but the regulation of numbers and conditions for highly skilled migrants remained at the national level. The Blue Card allows highly skilled third-country nationals with a job offer to work in an EU country for a maximum of four years and also bring their families. After 18 months, the migrant could move to another EU country but then they would need to apply

¹⁶ The Community Preference Principle serves the protection of the domestic (EU-wide) labour market. It is endorsed by a Council Resolution: “Member States will consider requests for admission to their territories for the purpose of employment only where vacancies in a Member State cannot be filled by basis in that Member State and already forming part of the Member State’s regular labour market” (Council Resolution of 20 June 1994)

¹⁷ Council of the European Union, 2009

for a new Blue Card. Additionally, it should be emphasized that draft Article 15 of the Proposal guarantees equal treatment for the holders of an EU Blue Card with EU nationals on a number of issues. Finally, the proposal follows a comprehensive approach and calls for tools to facilitate circular and temporary migration

In order to avoid negative 'brain drain' effects in developing countries, especially in Africa, the proposal promotes ethical recruitment standards to limit active recruitments by Member States in developing countries already suffering from serious brain drain.

Nowadays, in the European Union, member states have dealt differently with the economic crisis. Some member states have liberalized policies, such as Sweden in December 2008¹⁸. However, the majority of member states have implemented more restrictive policies towards the highly skilled....'Labor shortages intensified across the EU during the years that the Blue Card was debated, but when Member States finally agreed on the Directive, most countries were hit severely by the economic crisis'. (Luce Cerman, 2010)

Chapters five and six presents the migration policies in Spain and France focusing in policies made for attracting high skilled foreign workers.

¹⁸ MPI, 2008

5 THE CASE OF MIGRATION POLICY IN SPAIN

This chapter analyses the evolution of migration policies in the most important international migration ‘entry’- along with Greece and Italy- of EU, especially in terms of illegal migration. According to the previous sentence, migration policy in Spain is not only a national but also an EU question. Nevertheless, before analyzing in details the Spanish migration policies, it is necessarily useful for a better comprehension, to put in line the main characteristics of migration flows in this country.

5.1 THE NATURE OF MIGRATION FLOWS IN SPAIN

For the first time in its recent history, Spain became a destination for immigration in the 1980s. The rapid economic growth over the past two decades, the growing demand for unskilled labor, the consolidation of heavily segmented labor markets and the size of the ‘informal’ economy (Baldwin-Edwards and Arango 1999) were the main determinants of this transformation. In addition, two demographic parameters, also affected the migration transition: a) a sharp fall in birth rates caused the Spanish population and active population to have been aging (Fernandez Cordon 2001) and b) the limited internal mobility and irregular distribution of the population throughout the different regions of the country affected the labor market.

According to IMISCOE Working paper No21, (2008) migration flows in Spain are mainly distributed into five areas. Firstly, the Mediterranean Coast is the most touristic Spanish area attracting wealthy immigrants from other EU countries and economic immigrants from low wage countries. It is also important to mention that this area includes the most dynamic zones as regards industry and services such as, Barcelona, Valencia, Alicante and Tarragona, while Murcia and Almeria are some of the most dynamic agriculture areas in Spain. Secondly, the Balearic and Canary Islands attract working students, entrepreneurs and retirees from North and West Europe. Thirdly, the Madrid Metropolitan Area includes the Spanish capital and its surroundings, where service and construction sectors are very developed and in demand for many labor immigrants. Fourthly, the Ebro River Valley combines the wine production and diversity of fruits crops with a growing industrial and service

sector, attracting a large amount of foreign labor migrants. Finally, Western and South- Western Spain's agricultural enclaves are very popular destinations (Huelva for its strawberry fields, Caceres, for its tobacco fields and Leon for its minor industry) attracting immigrants from Africa and Eastern Europe (Moren-Alegret & Solana 2004).

Unlike Northern Europe, where it is much more common for immigrants to seek asylum, the Spanish migratory model has mostly been based on immigrants seeking work, although there is a non negligible component of retirement migrations. Different types of immigrants like workers and retirees with a great diversity of origin countries are the two dynamics of Spanish migration flows. In 2009, the largest group of foreigners in Spain was Romanian (776,576)¹⁹. For non EU countries Moroccans – due to the geographical proximity - were the largest group (710,401), followed by Ecuadorians (413,715) and Columbians (292,971) due to the common language. From other EU member states there were many retirees and workers from Great Britain (374,600) and Germany (190,584). The most recent flows present a wider diversification as regards country of origin and include Paraguay, Brazil, Ukraine and Pakistan.

Table 5 shows the diachronic stock of immigrants by continent of nationality. It is interesting to note the diachronic increase of immigrants from EU in 2007 probably due to EU enlargement. Graph 5.1 despite giving a different percentage of EU immigrants in Spain in 2007 from table 5.1, seems to confirm that migration flows from new EU member states continuing increasing in 2008.

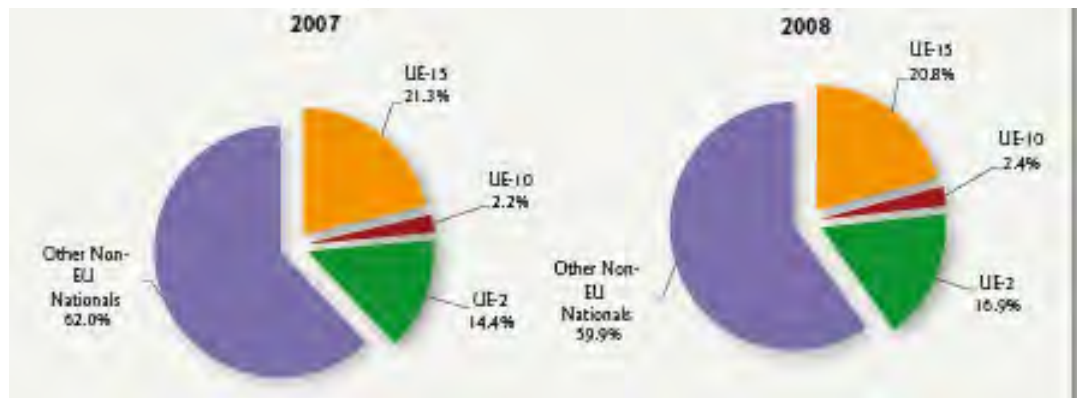
¹⁹ Maybe because they speak Latin and there is a language proximity with Spanish

Table 5.1 Immigration of foreign citizens by continent of nationality

	Total	Horizontal Percentages					
		European Union*	Rest of Europe	Africa	America	Asia	Oceania
2003	429,524	17.1	22.2	13.8	43.6	3.3	0.0
2004	645,844	17.2	26.0	17.2	33.2	6.4	0.1
2005	682,711	19.2	22.8	17.7	33.8	6.4	0.1
2006	802,971	18.8	23.0	14.5	38.7	4.8	0.1
2007	920,534	42.3	3.5	14.2	34.7	5.3	0.1

Source: Residential Variation Statistics (National Statistics Institute), 2010

* The years 2003 to 2004 refer to the EU-15, while 2005 and 2006 refer to the EU-25 and 2007 to EU-27

Graph 5.1 Foreign Populations by Main National Groups

Source: Current Population Estimates and Inter- Census Estimates (National Statistics Institute), 2010

Apart from being very diverse, immigration flows in Spain have also been extremely intense over the past decade. In 1999 there were fewer than 750,000 foreign residents in Spain, representing only 1.86% of the population. The latest data, from the beginning of 2009, indicate that just ten years later there are more than 5.5 million immigrants, which represent 12% of the population. As underlined by Arango (2006), Europe became an immigration destination mostly due to the intense flows directed to Spain and Italy.

The high number of irregular immigrants and the frequency, in which most immigrants spend at least some time in an irregular legal state, also characterize the Spanish migration model (European Migration Network).

Despite the complexity of the dynamics of migration flows, their intensity can be explained as a result of the growth of the Spanish economy, the strongest among the original 15 EU member states over that time period, and from the increasing demand of the labor market during a period of intense job creation.

However, the development of the Spanish economy was largely dependent on the services sector, tourism and construction and the dependence on these sectors has made the economy structurally weak and created a growing gap in productivity over the years when compared to the rest of the European economy (FEDEA 2). Cachón (2002) concluded that the intensity of the migratory flows toward Spain over the past decade was caused by the growing demand of its labor market, the attraction of its informal economy and the higher standards of Spanish workers choosing their jobs as a result of the growing social and economic prospects of the country.

Several studies have shown the importance of immigration in Spain's economic growth between 1994 and 2007, and its positive influence on GDP and public services²⁰. What emerges from a research of Caixa Cataluña (2006)²¹ is that the Spanish economy would have experienced a setback in global welfare. The study stimulates the growing dependence on immigration flows which over the decade 1995-2005 reveals that the substantial increase in productivity would not have been so encouraging without the arrival of foreigners. According to it, 50% of the growth in private consumption in recent years has been generated by immigrants. In addition, GDP per capita would have fallen 0.6% a year instead of the 2.6% rise between 1995 and 2005 while immigrants has fueled a 3.2% annual growth in GDP per capita over the same decade.

Further benefits from migrants includes the occupation of low paying jobs which are difficult to staff with native workers, and the promotion of sectors, without having a negative impact on the employment or wages of local workers (Pajares 2007, 2008, 2009).

²⁰ Oficina Económica del Presidente del Gobierno 2006

²¹ <http://www.kaosenlared.net/noticia/aportacion-decisiva-trabajadores-inmigrantes-crecimiento-economico>

Data from the Economically Active Population Survey (EAPS4) show that at the contrary of Northern and Central Europe, immigrants in Spain have a particularly intense participation in the Spanish labor market as they cover a large part of the active population and have higher rates of activity than the natives. It is high lightening that while in 1996 the percentage of the non EU active population that was barely above 100,000 (0.7%), data from the current decade present almost 2,000,000 non EU foreign workers integrated into the active population (9.3%). It should be noted that immigrants in Spain have the younger average age of the foreigners worldwide and they tend to work in construction, hotel services, agriculture and domestic service as unskilled laborers. During this period, very little attention was given by the Spanish government and market forces were the main source of internal regulation of foreign workers in the Spanish economy.

5.2 SPANISH MIGRATION POLICIES

Spanish immigration Policies could be separated into three generations (IMISCOE Working Paper No 21, April 2008). The first generation begins in the middle of the decade of 1980s until the early 1990s introducing the First Foreigners Law (1985). The second generation, covering most of the 1990s includes the reforming of the regulations and the entrance of policies for the migrants' integration. Finally, the third generation, from 1999 until today, presents an important change on the Foreigners Law regarding a new attitude towards integration policies.

In 1985, the First Foreigners Law came into force. Besides the growing increase of immigrants, the main reason for the emergence of regulations had more to do with the forthcoming Spain's accession to the European Community. The main aim of this first regulation was to create a framework to specify foreigners' residential conditions but at the same time, gave the opportunity to restrict entrance. In fact, the new legislation had a very restrictive character, with a strong emphasis placed on issues of border control.

'Despite its title, evocative of the rights and freedoms that were to be enjoyed by foreigners in Spain, the police aspects of the legislation, and its inability to deal with the issues arising from the daily presence of immigrant populations, were soon quite apparent' (Fuentes, F).

According to it, non-EU workers were permitted only if employers demonstrated that they were unable to hire any citizen or resident of the country. The main characteristics of this first regulation were:

- The absence of political decision and as a result no judicial control on the implementation of entry policies
- Permissions were depending on labour market tests, often conducted in a very restrictive way
- Absence of clear and objective criteria for admission not permitting the employers to have a sufficient picture of their employees
- There was not a supply-demand equilibrium
- Even if entrance application was approved, it need months until securing the document.

This generation also includes the Law on Asylum²² (1984) and the Royal Decree²³ (1986). At this time, it is also necessary to mention two important Constitutional Court rules. The first one (107/1984) had classified the basic rights of the foreigners. According to it, all enjoyed a set of fundamental rights (the right to life, freedom of expression and judicial guarantees etc) regardless their legal situation in the country. No political rights could enjoy foreigners (Article 13.2 of Spanish constitution) but more rights may be extended to foreigners depending on their legal situation in Spain. The second Constitutional (115/1987) declared void some specific paragraphs of the First Foreigners Law which reflected the foreigners right to form associations and the right to demonstrate as did not conform with the 1978 Spanish Constitution.

Spanish government recognizing difficulties of the current system needed a direct way for regular entrance in Spain without candidates having to submit individual applications to a test of labor market. In 1993, a quota system was launched in Spain in order to create new opportunities for legal

²² Ley 5/1984 Reguladora del Derecho de Asylo y de la Condición de Refugiado

²³ Royal Decree 19 November 1986

entry. This program could be implemented only in particular economic sectors that were determined annually by the government and there was a limited number of applications. Until now the evaluation of labour needs was administrative and the quota system introduced a political one. Nevertheless, the quota system seems more than a regulation programme in practice, as most applications were field by irregular migrants already in country (proper, prior residence was not needed). The result, after the application's approval, was that foreign workers had to go back to their countries of origin (or to a Spanish consulate in South France due to geographical proximity) and applied for a visa and then return back into Spain as a legal migrant.

In the period from 2000 to 2004, the rightwing government repealed the general regime, despite several court judgments deemed this illegal. As entry remained formally opened the general regime was no longer an option due to the restrictive way, labor tests being done. The government, considering the quota system as the most appropriate manner to channel regular migration, modified it into different ways:

- a) Job's offers were only made through anonymous recruitment, in order to block irregular migrants benefit from the quota system. In addition, responsible for the selection process became the governments of the origin countries as bilateral agreements were signed with Colombia, Morocco, Poland, Ecuador, Dominican Republic and Romania, the most important countries of origin.
- b) To avoid mismatches between the annual quota and labour market, regional governments, employer organizations and trade unions were introduced in the process for assisting in the determination of the number and characteristics of the workers. In particular, estimations made from employers' organizations and trade unions, were evaluated at the provincial level by regional governments and proposed for acceptance to the Ministry of labor. Then, after consultation with the Higher Council on Migration Policy, the Minister was responsible for the final decision.

It must be said that for the first time and with their role on the definition of the annual quotas, regional governments have to play a real role in the migration policymaking process. However, in practice their influence was limited. Generally, regional governments, apart from Catalonia, defined a zero or very small quota and the central government re-evaluated their estimations (Roig Molés 2007: 292). Conversely, there was a fundamental role for employers' organizations and trade unions. While employer's organizations chose rather high quotas, trade unions took more restrictive positions and as a result, annual quotas have been rather low. The quota system has offered no more than 20.000 to 40.000 jobs annually when in the same time entries were about 129.000 (European Migration Network). Limitations of the quota system could be considered the limited number of employers' applications redistricted through this system, the low quota per year, limitations on the recruitment process, mostly due to the management of the governments of origin countries and most importantly the excessively long administrative procedures.

In 2004, the PSOE²⁴ was again in power and the general regime was restored, reflecting the idea that employer should have the ability to undertake nominative employment of foreign workers overcoming the quota system's limitations mentioned before. The Spanish government, for dealing to huge staff shortages of some occupations, created a quarterly list and permitted the nominative employment of these occupations without first having to conduct a labor market test. According to the procedure, the national employment office gives the list to the regional governments who discussed it with the employers' organizations and trade unions at a regional level. Finally the list is approved by the Tripartite Labor Commission²⁵.

After 2004, Spanish policy on the management of labor flows from abroad has been more active and planned. Over the last few years, the quota system has been modified several times. First of all, only foreigners who were not currently in Spain could take part in this program and the selection of workers was carried out in the country of origin. Second, the redesign of

²⁴ Partido Socialista Obrero Español

²⁵ Represents the Minister of Labour, the CEOE (largest employer organization) and CCOO, UGT (two largest trade unions)

migration laws included the participation of new actors, among them local governments while a more active participation of the business sector and trade unions is introduced in the process. In the past few years, the new way the quota works has been combined with other new initiatives directed at regulating migratory flows in accordance with the specific needs of the labor market. New measures included the creation of the Special Catalog of Vacant Jobs, which is basically a list of employment areas which a) have difficulty to find enough workers and to meet their demand, (developed by Spanish employment agencies with the participation of regional governments), b) the appearance of “job search” visas, and c) the regulation of seasonal or campaign work permits which are valid for nine months. In order to recruit workers in the countries of origin, over the past few years a series of bilateral agreements were negotiated with Latin American, European and African countries (Ferrero and López -Sala 2009). In addition, the labor market has begun to be monitored more closely by increasing the number of work inspection.

Before ends the presentation and analysis of the legislative procedure as regards international migration, it is important to note some points about the Spanish reality.

First of all, the fast and aggressive transformation of Spain from an emigration to an immigration country (parallel to the political transition from a dictatorship to a liberal parliamentary democracy) in the last two decades, forfeited Spain from a national stand on immigration and the policy agenda was determined by goals and objectives defined at the European supranational level. As it is shown later the “Europeanization” meant the thoughtless acceptance of EU objectives to the national legislation, which resulted Spanish government to adopt very restrict migration policies little fitting to the early stages of migration procedure. The mismatch between large numbers of external policy directions and the needs at the national level, such as undocumented immigrants, demand for unskilled labor, economic interests in sending regions, etc, obligated Spain to gradually develop a more sophisticated set of policies combining strict EU boarder policy and increased national autonomy. (Fuentes F. 2000).

Secondly, legislation giving responsibilities to municipal level authorities is another determinant of the Spanish migration policy. According

to Angela C. Garcias (2007), sub-national immigration plans are not the simple result of the central-state delegating its immigration policy downwards. The state and the local are clearly working towards different ends. Whereas the central government is struggling to tighten external immigration controls, rural municipalities like Aguaviva are engineering new immigrant flows from nontraditional countries of origin and creating environments that encourage chain migration. Moreover, the analysis of the implications of local-level immigration policies showed that

‘In an effort to manage social change in their localities, local leaders have developed striking initiatives: They adopt the citizenship policies of the state, implement municipal mechanisms of embrace, and partner with non-government actors to match migrant recruits with local labor market demands’ (Garcias, 2007)

Thirdly, the economic crisis has forced Spanish government to take measures focused on containing the arrival of migrant labor flows by reducing the size of the foreign worker quotas and the Catalog of Vacant Jobs, while also paralyzing, for all intents and purposes, the bilateral hiring agreements with the countries of origin. The objective of these measures is to limit the number of foreign workers arriving in the country at a time when the economic situation is in difficulty and the labor market is unable to provide jobs for the resident migrants already living in Spain. In the context of the crisis, the demand available in the Spanish labor market is for fewer and more specialized workers (such as domestic labor) and the old mechanisms to bring in new workers from abroad needed to be frozen in order to help unemployed foreign residents to find work. Another type of measures taken focused on creating incentives for unemployed immigrants to voluntarily return home, if their country has signed agreements with Spain regarding social security, including the lump payment of accumulated unemployment benefits. This program is known as APRE²⁶ and does not include immigrants from other EU member states. As it is shown, Spain seems to insert more and more restricted measures towards international migration mostly due to the economic crisis and its dominant position as an illegal entry which maybe means the implementation of a more restrict legislation in the following period.

²⁶ Early Payment of Benefits to Foreigners Program

Finally, Table 5.2 regarding residence and total permits issued during the period 2003-2007 shows clearly that ‘family reasons’ has a positive trend while ‘residence only’ is largely decreasing. The increase of permits on family reasons is the consequence of the application of the Royal Decree 240/2007 of 16 February 2007 which transposes Directive 38/2004/EC on the right of EU citizens and their third countries family members to move and resident freely among the EU member states. Since the Royal Decree 240/2007 came into force, EU citizens had to apply to be registered on the Central Register of Foreign Nationals and to obtain the certificate of registration and their third country family members of Spanish nationals had to apply for a resident card for a family member of a Union citizen. An analysis of the reasons for granting permits shows that in 2007 the main reason for granting an initial permit was still for purposes of work, and these made up 40.0% of the total number of initial permits granted in that year. This has been the case since 2003, with the exception of 2006 when they took second place, after permits for family reasons. Although permits for family reasons (both those granted to family members of third country nationals and to family members of community nationals), did not reach the volume of 2006, their number remained high: 169,780, or 36.4% of the total. More than half of these permits (58%) was granted to family members of third country nationals (family reunification according to EU legislation). As regards study permits, after the significant increase in 2004 (from 32,654 to 48,341) the figure stabilised at around 40,000 permits in 2005 and 2006, with a slight fall in 2007 (38,220 successful applications). The heading “Other categories” mostly comprises: (a) residence permits with no right to work, which allow immigrants to reside in Spain but not to work —provided they can prove that they have sufficient resources to live on without being gainfully employed and (b) permits granted for exceptional circumstances —most of which relate to being settled in a community. The category relating to residence with no right to work went from 69,938 permits granted in 2003 to 39,233 permits granted in 2007, or the 7.4% of the total for that year. As regards permits granted for exceptional circumstances, they went from 4,000 in 2003 to 40,000 in 2004 (when the residence permit due to employment, social and family ties, the so-called

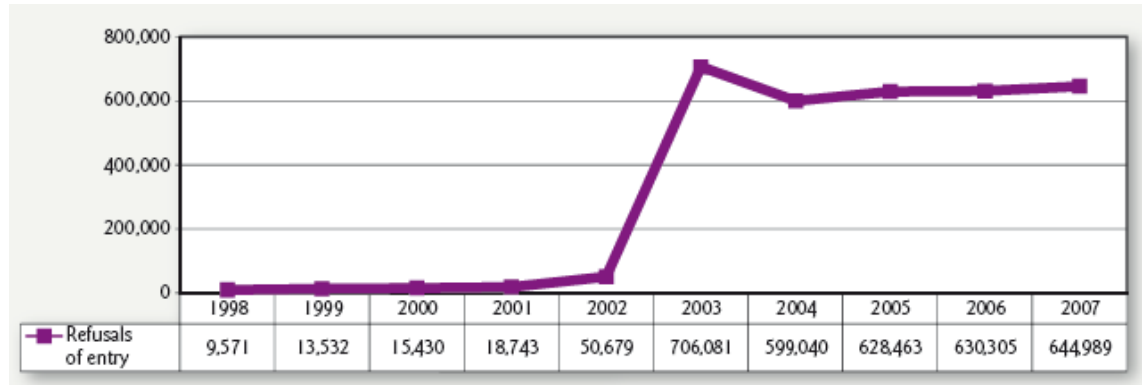
arraigo, was created). In 2007, 32,709 permits for exceptional circumstances were granted, or the 7.0% of the total granted that year.

Table 5.2 Initial residence permits and total permits issued by reason of issuance

	Initial permits					Vertical Percentages				
	2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
	Total	238,141	461,335	919,575	370,923	465,458	100.0	100.0	100.0	100.0
Family reasons	49,324	129,976	142,700	150,050	169,780	20.7	26.9	15.5	40.5	36.4
Sponsor is a third country national	68	30,135	66,839	68,904	98,276	0.0	6.5	7.3	18.6	21.1
Sponsor is an EU national	49,256	99,841	75,861	81,146	71,504	20.7	20.3	8.2	21.9	15.3
Study	32,654	48,341	40,652	41,689	38,220	13.7	10.5	4.4	11.2	8.2
Employment*	82,151	165,718	661,770	107,746	185,426	34.5	36.1	72.0	29.0	40.0
Self-employed persons	1,897	2,513	1,142	611	523	0.8	0.5	0.1	0.2	0.1
Employed persons	80,254	164,205	660,628	107,135	185,903	33.7	35.6	71.8	28.9	39.9
Other categories**	74,012	122,300	74,453	71,488	72,032	31.1	26.5	8.1	19.3	15.4
Residence only	69,998	82,279	31,195	44,818	39,323	29.4	17.8	3.4	12.1	8.4
Others	4,014	40,021	43,258	26,670	32,709	1.7	8.7	4.7	7.2	7.0

Source: Specific exploitation of the Central Register of Foreign Nationals (Ministry of the interior) and Statistics on Work Permits Issued to aliens (Ministry of Labour)

With regard to entry refusals a person will be refused entry into Spanish territory if s/he does not comply with the requirements of the Convention implementing the Schengen agreement on foreign nationals. Refusals are only carried out against people who try to enter Spanish territory, not against irregular immigrants who are there already. Through the Graph 5.2 it is possible to detect from 2004 to 2007 a little increase in entry refusals, evolution which can be interpreted as a result of the new restrict migration policy.

Graph 5.2 Total of Annual Refusals of entry

Source: Ministry of Interior (General Directorate of Police and the Guardia Civil)

Note: Since 2003 these data include refusals of entry at the two Spanish cities located on the African continent: Ceuta and Melilla

Table 5.3 Total annual permits and refuses

Years	Total initial permits	Total annual refuses	Number of permits for 100 refuses
2003	238.141	706.081	34
2004	461.335	599.040	77
2005	919.575	628.463	146
2006	370.923	630.305	59
2007	466.458	644.989	72

Eurostat Database

The fall in initial permits in 2006, apart from the adoption of restrictive measures, means a return to normal figures, after the exceptional circumstances of 2005. The difference of almost 550,000 residence permits between 2005 and 2006 was absorbed by the difference in the number of work permits, as table 5.2 presents. For this reason, and without considering the figures of 2005, it could be said that during the period 2003-2007 there was an upward trend in the number of initial permits granted, with 2007 being the year in which the largest number of permits were granted, very close to the number of permits of 2004.

5.3 HIGH SKILLED MIGRATION POLICIES IN SPAIN

In 2007, the Unidad de Grandes Empresas (UGE) was created, one of the first Spanish initiatives to manage the flows of skilled workers. This office of the Ministry of Labor and Immigration handles work authorizations and residence permits for highly skilled workers such as business executives, tech workers, scientists, university professors or internationally renowned artists who will provide transnational services as paid employees for economic, social, labor and cultural reason.

The current legislation does not take under consideration the qualification category of foreign workers and for this reason grants for work and residential permits are, in the first place, the same for all migrants. The legislation responds to work shortage of each time. However, the Organic Law 4/2000 in Article 41, has contemplated and foreseen a specific scheme for foreign workers who wish to enter Spain and are included within one of the “highly qualified” categories. This category required to hold only a residence permit. In other words, the highly qualified workers are not required to hold a work permit and the national employment situation is not considered. Particularly, a work permit shall not be required for the following activities:

- Foreign technicians and scientists invited or contracted by the State, the Autonomous Communities, or local organizations.
- Foreign professors invited or contracted by a Spanish university. The administrative personnel and foreign teaching staff of cultural or educational institutions dependent of other States, or private organisms, with accredited prestige and officially recognized in Spain, which offer to the country cultural and educational programmes from their respective countries, provided that they limit their activities to such programmes otherwise they need a work permit.
- Civil servants and military personnel of foreign state administrations who come to Spain to carry out activities under agreements of cooperation with the Spanish Government.
- Foreign correspondents of the social communication media duly accredited for the exercise of informative activities.

- Members of international scientific delegations carrying out projects and research in Spain, authorized by the State.
- Artists coming to Spain for specific performances which do not involve a continued activity.
- Ministers, clergy or representatives of the various churches and religions, duly registered in the Register of Religious Bodies, under the condition that they limit their activities to strictly religious functions.
- Foreign nationals who form part of the representation, government and administration of internationally recognized trade unions, provided that they limit their activities to strictly unionist functions.
- Spaniards by origin who have lost their Spanish nationality

It is important to mention that, despite being exempt from the obligation of holding a work permit, “highly qualified” workers have activity limitation until the development of permitted tasks for which they have been granted. The initial permit is valid for one to two years (in case of renewal). In other words, the notion of ‘highly qualified’ is very limited and in general concerns specific agreements with limited duration

In 2007, an Agreement of the Council of Ministers determined the procedure instructions for authorizing entry, residence and work in Spain for foreigners in professional activities that involve reasons of economic, social or labour interest, or related to research and development work or artistic actions of special cultural interest. The resolution concerns managers or highly qualified employees, managers or highly qualified for the case of transactional provisions of services, foreign technicians and scientists, hired by the state or Autonomous Communities, local authorities or investigation agencies. These three categories must demonstrate that have worked for at least one year, in individual entrepreneurship or scientific research projects or contributed to technological developments similar to posts that they will occupy. Continuously, the contracting company or organization signing consent to the foreign worker to request for initial residence and gainful employment in the

General Directorate of Immigration. Moreover, two more categories are referred in the Agreement, those of foreign technicians or scientists for particular research works and well-known artists. The main differences with regards to the previous procedure are the following:

- The workers are holders of an initial residence and work permit for salaried employment although the national employment situation is not considered for the work's permit grant.
- The categories of "highly qualified" foreign workers are similar to those set forth in Organic Law 4/2000, though foreign workers are hired generally and not exclusively by natural or legal persons.
- Foreign workers who enter legally Spain are entitled to the reunification of their family members who, if they comply with requirements laid down in regulations, may obtain a temporary residence permit without a work permit or a residence and also for work permit for salaried employment.²⁷

5.4 CONCLUSIONS

As Spain is concerned, the short but extremely intense migration history and the mismatch between EU directions and national needs on the issue of international migration resulted to rather puzzled and not well organized migration policies, which until today leave room for irregular migration. Restricted migration policies with some times unclear targets and implementation processes, still seem to focus in managing labor migrants and not attracting high skilled migrants.

Nevertheless, choices like regional authorities interfere (though limited) to migration policy could be characterized as innovative, while the participation of trade unions and employer organizations seems to set a demand-oriented management of international migration flows.

Finally, though a selective migration policy is not clearly reflecting to Spanish migration policy, probably because migration flows in Spain are still important as labor resource, like it is the case in France (see chapter six), measures and privileges in Spain are not so different from other EU countries..

²⁷ European Migration Network, Ad-Hoc Query on permits to attract highly skilled workers, requested by FR EMN NCP on 22th October 2009

6 THE CASE OF FRANCE

Like in case of Spain, before analyzing the evolution of French migration laws, it is important for readers to have a picture of the migration flows nature in France.

6.1 THE NATURE OF FRENCH MIGRATION FLOWS

Two determinants: the legacy of colonialism and the tradition of recruiting foreign workers influence French migration status until today. The process of industrialization and the fall in the birth rate led to a labor shortage and then as a result the first migrants' wave was brought in France, as early as the 18th and 19th century. During this period, France created labor recruited agreements with Italy (1904, 1906, 1919), Belgium (1906), Poland (1906) and Czechoslovakia (1920). By 1930 France was (after USA) the most important migration country in the world. After the Second World War and during the reconstruction period 1950s-1960s, France recruited-mostly men-workers from Italy, Spain, Belgium, Germany and Russia while wars of liberation and the process of decolonization increased immigration from the former colonies. A large number of French settlers and pro-French Algerians moved to France due to independence of Algeria in 1962.²⁸ During the economic crisis of 1970s France as many other European countries stopped all recruitment programs for foreign workers. On the contrary, migration flows continued as a result of family reunification, the until now most important migration channel in France²⁹. The gender distribution among the immigrants has also changed in the course of the years. From 1974, with family reunification, female immigration dominated. Since the turn of the millennium, however, the proportion of male and female immigrants has evened out. From 1980s and then restrictive migration policies and migrants regarded as the root

²⁸ In total, this concerned about two million people, who were mostly described as *piets-noirs* ("black feet"). Among them there were also about 100,000 so-called *Harkis*, i.e. Muslim Algerians who had fought on the side of the French army during the Algerian War of Independence. While the majority of the *Harkis* were killed after the French withdrawal, a small number managed to immigrate to France. Their legal position was long a matter of dispute.

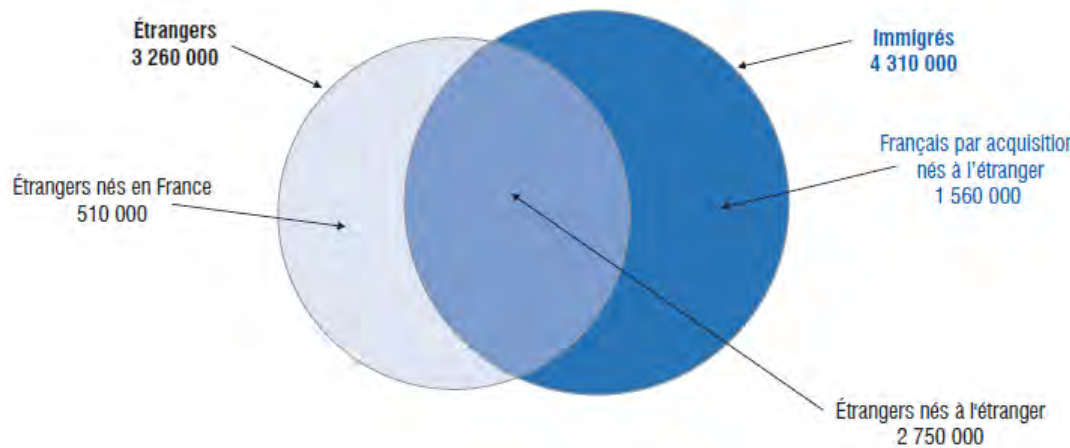
²⁹ 81, 117 family reunifications (2008)

of social problems in conjunction to right-wing parties in governance has caused many times public attention.

It worth noticing that despite France usually follows in great percentage EU migration policies, in 2004, the free movements of workers from Eastern Europe³⁰ was initially restricted. Since the 1st May 2006, citizens of Estonia, Latvia, Lithuania, Poland, Slovenia, Slovakia, the Czech Republic and Hungary have been given easier access to the labor market in France if they work in certain economic sectors. In total, this concerns 61 professions in the hotel and catering industry, the food industry, the building trade, in agriculture and in commerce. The same applies to Bulgaria and Romania, which acceded to the EU in January 2007. Malta and Cyprus, whose citizens have had free access to the French labor market since May 2004, are not affected by the transitional arrangement. The European Commission's research (Eurobarometer 65, 2006) revealed that French people fear for a wage and social decline due to workers from Eastern Europe, which ease the French governments to adopt more stringent migration laws.

Nowadays, French migration data has its specific characteristics. First of all, French statistics distinguish clearly immigrants and foreigners as two separate categories. Immigrants are defined as people who were born abroad as foreign citizens, and they continue to be recorded as such even if they acquire French citizenship. In contrast to immigrants, foreigners are defined as people who do not have French citizenship but in practice the two categories can overlap. Considering the data relative to the 1999 census, the National Institute of Statistics (INSEE) shows clearly this overlap:

³⁰ See newsletter 'migration und Bevolerung' 3/04

Graph 6.1 Immigrants and Foreigners in France

Source: INSEE, Department of population, 1999

Moreover, children born in France to foreign parents are automatically granted French citizenship upon reaching the age of 18. People born abroad and living in France can acquire French citizenship if they satisfy certain conditions. They must be able to prove a minimum stay of five years and have an adequate knowledge of the language. Moreover, they must not be dependent on social security benefits. The proportion of naturalizations differs significantly according to the immigrants' country of origin, which indirectly reflects to a discriminate approach between immigrants. Immigrants from Vietnam (78%), Poland (66%), Spain (56%) and Italy (56%) are especially likely to seek naturalization³¹. Moreover, the level of immigrant education has risen significantly, but on average it is still slightly lower than that of non-immigrants. The level of education among immigrants is gradually approaching that of the majority of the French population.

In addition, and in regards to the geographic distribution, immigrants to France are concentrated within the major urban areas. The region with the largest proportion of immigrants is the Île-de-France (Greater Paris), where 40% of immigrants live. It is absolutely not surprising that the two other main economic regions of France: Rhône-Alpes (Lyon) and Provence-Alpes-Côte d'Azur (Marseille) also concentrate a large part of immigrants, As mentioned

³¹ figures as of 2005

in the second chapter of this research, the concentration of migrants' flows follows the concentration of economic activities.

Continuously, it is important to draw some conclusions based on the number of residence permits issued by reason of issuance. From Table 6.1 could be drawn some constructing results:

Table 6.1 Number of residence permits issued by reason of issuance

	2004		2005		2006		2007		2008	
	Pos. decisions		Pos. decisions		Pos. decisions		Pos. decisions		Pos. decisions	
	Total	sub-total	Total	sub-total	Total	sub-total	Total	sub-total	Total	sub-total
Total	191 850		187 134		183 261		171 907		182 688	
Family formation/reunification	94 384		92 568		95 973		85 998		81 177	
- spouse		:		:		:		:		:
- children < 18 years		:		:		:		:		:
- other family members		:		:		:		:		:
Study	49 305		46 294		44 943		46 663		52 073	
- pupils		:		:		:		:		:
- students		:		:		:		:		:
Employment	12 146		11 905		11 678		11 751		21 310	
- self-empl. persons		:		:		:		:		:
- employed persons		:		:		:		:		:
Other categories	36 863		37 175		31 632		27 495		28 128	

Source: Ministry of the Interior, 2009

– The number of permits issued for professional purposes to third country nationals remained almost stable from 2004 to 2007 and almost doubled in 2008 (the flow of seasonal workers, who are not required to hold a residence permit, is not included in this heading).

– The number of permits issued for family purposes, which had risen by 3.7 % in 2006 compared to 2005, owing to the exceptional regularization of parents of school-age children, fell sharply in 2007 (– 10.4 %) as well as in 2008, though less sharply (– 5.6 %). However, this is a heterogeneous category. The number of permits issued to family members of French citizens has consistently fallen since 2003. The same is true for family reunification (family members of foreign nationals). However, in 2006, there was an exceptional increase (+ 55.4 %) in the number of permits issued, which was a result of the exceptional regularization measure for some parents of school-age children in the summer of 2006. On the other hand, in 2007, there

was a marked drop (– 21.7 %) in the number of permits issued for the purposes ‘Personal and Family Ties’, which was confirmed once again in 2008 (– 10.9 %).

In 2008, there was an increase in the number of permits issued to third country nationals, following a steady fall since 2003. Obviously, took place contrasting changes: permits issued for family purposes showed fell sharply, while the number of permits issued to students increased slightly, and those issued for professional purposes rose steeply.

Finally, it is rather interesting to compare residence permits and annual refusals. According to Table 6.3 indicators for refusals show that migratory pressure decreased in 2003 and then increased a little bit in 2004, with a clear rise upwards in 2005. This trend weakened from 2006, bottoming out in 2007, before rising again in 2008.

Table 6.3 Total annual entry refusals

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Number of refused aliens	46 366	40 608	47 002	44 185	38 563	42 943	32 223	33 232	35 921	34 127	26 593	29 472

Source: Ministry of the Interior, 2009

It worth mentioning, as explained by Thierry (2008), that it is difficult in the case of France to have exact evaluation of migration flows because different institutions / organizations are producing – for a specific purpose - data on migration flows. The data are generally not complete because they mainly concern entries of immigrants while departures are not taking into account (Thierry F. (2008)³².

³² Thierry F. (2008); Les migrations internationales en Europe: vers l’harmonisation des Statistiques, Population et Societes, No 442, fevrier.

6.2 FRENCH MIGRATION POLICIES

Immigration policy has simultaneously taken an increasingly restrictive course in France. As in other European countries, there is an effort to manage immigration with a view to maximizing benefits to the economy.

The introduction of the so-called ‘Pasqua laws’³³, in the early 1990s, sought for zero-migration policy tighten up measures such as the waiting for family reunification was extended from one to two years and foreign graduates from French Universities were forbidden to work in France. Many of the “Pasqua laws” lost their power, when in 1997 the centre-left government³⁴ called for new migration policies. Among others, a special migration status was created for highly qualified employees, scientists and artists and a legislation programme was in force for foreigners who were residing in the country without authorization.

Once again, since a conservative government³⁵ took over in 2002, there was a trend for more restrictive migration policy. On the 30th June 2006 a new immigration law (loi relative à l’immigration et à l’intégration) was introduced in France. It contains tougher conditions for family reunification, a newly created residence permit for specially qualified workers, plus an obligatory integration contract called the ‘contract for reception and integration’ (contrat d’accueil et d’intégration, CAI) for foreigners who wish to take up permanent residence in the country. The contract requires participation in lessons on civil society and language courses. Finally, the new law abolishes the automatic legalization of immigrants who have lived in France without authorization for at least ten years.³⁶ Much attention is given to the approach known as ‘selective immigration’ (immigration choisie). The new three-year residence permit for persons with ‘skills and talents’ is intended to make it easier for highly-qualified people who are deemed to be ‘an enrichment for the development and

³³ The conservative Minister of the Interior, Charles Pasqua, (Rassemblement Pour la République) introduced the law

³⁵ Under Jean-Pierre Raffarin (UMP) . After the failed referendum on the Constitutional Treaty in June 2005, Raffarin was replaced by Dominique de Villepin.

³⁶ See newsletter “Migration und Bevölkerung” 4/06

image of France' to stay in the country. It will also be made easier for students to remain in France, providing they have graduated from an institution of higher education in France and are among the best in their year. Under the new law, it will be easier for foreign workers to enter the country and take up employment in response to labor shortages and this applies also to unskilled jobs. As for the issue of family reunification, the new law is oriented more strongly towards the European Convention on Human Rights. The minimum period of stay before an immigrant can apply for family reunification has been increased from one year to 18 months. Moreover, the applicant must be able to prove a regular earned income on par with the general statutory minimum wage (*salaire minimum de croissance, SMIC*). Finally, the law also attempts to deteriorate marriages of convenience by French and non-French couples must now have been in existence for three years before a 10 year residence permit can be granted. The foreign spouse must, moreover, demonstrate an adequate knowledge of the language and a real will to integrate. In addition, the foreign spouse must now wait four years, instead of the previous two, before applying for French citizenship. According to irregular migration the majority are believed to originate from West Africa and the Maghreb states. An initial legalization programme was carried out in 1982, with 132,000 people being given legal residence status as a result. In June 1997 the government drew up a second legalization programme. This time about 87,000 out of a total of 150,000 applicants were given a residence permit. In 2006 a limited number of families without papers whose children were attending school in France were legalized. Of the more than 30,000 applicants, 6,924 were ultimately granted a residence permit³⁷. The Immigration Act of 2006 abolished the automatic legalization of immigrants living without authorization for at least ten years in France.¹² In 2006, as a minister of interior Nicolas Sarkozy³⁸, expelled 23,831 people from France (2005: 19,841; 2002: 10,067) and 23,885 immigrants were expelled from French overseas territories in the same year (2005: 15.532; 2002: 9.227).

³⁷ See newsletter 'Migration und Bevölkerung' 5/06, 6/06, 7/06

³⁸ Union pour un Mouvement Populaire, UMP

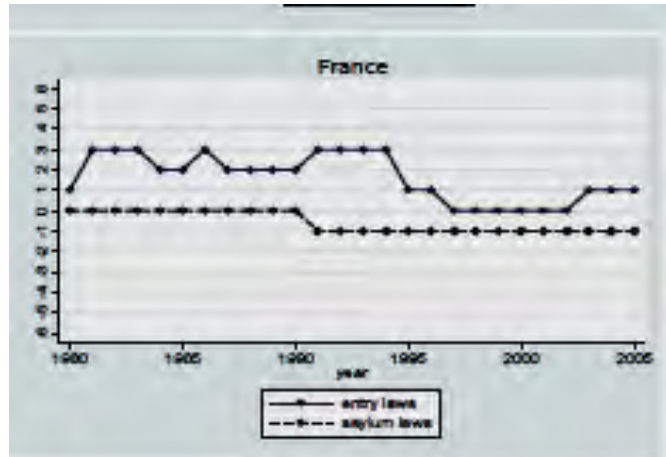
The Act of 24 July 2006 on immigration and integration introduced two new categories of residence permit called ‘Skills and Talents’ and the ‘EC long term residence permit’ and two new categories of temporary residence permit called the ‘Seasonal Worker’ permit and the ‘Employee Assignment’ permit allowing foreign nationals to work. The Act of 20 November 2007 on immigration, integration and asylum introduced a residence permit of unlimited duration, which can be implemented to any foreign national with a residence permit which has expired. As far as family immigration is concerned, the 20 November 2007 Act includes an additional provision for funds according to the size of the family, and ensures that applicants are able to provide for their family acceptable conditions. According to it, family reunification applicants must justify the amount of income equivalent to the minimum growth wage in relevance to the size of the family: by 10% for a family of four and five and by 20% for a family of six or more, the maximum amount as set out by the legislature (Annual Report on Asylum and Migration Statistics for France, 2008).

Before ending the analysis of French migration laws, is presented a plot to describe the degree of tightness in migration flows in the period 1980-2005. Plot 1, plots the variables for immigration policy tightening with respect to entry for immigrants (solid lines) and asylum seekers (dashed lines) for France. The initial value of each variable in each country is 0. The variables only capture the variation in laws over time within a country.³⁹ Generally, from Plot 1 it could be said that entry laws in France seem more tightened than the asylum laws. As far as entry laws are concerned, there is an up and down on

³⁹ In Human Development Research Paper 2009/06, were constructed three separate indices of ‘tightness’ for every reform mentioned in the used database. In general, they consider as ‘loosening’ entry laws (implying a change in the tightness variable of -1) those reforms that lower requirements, fees or documents for entry and to obtain residence or work permits or introduce the possibility or increase the number of temporary permits. On the other hand, a reform is considered as tightening entry laws (+1 in the variable capturing tightness of entry) if it introduces or decreases quotas for entry, and increases requirements, fees or documents for entry and to obtain residence or work permits.

the law's tightness, reaching the top in 1980-1983, 1986. 1991-1994 (Pasqua laws) and falling from 1195-2002 (in 1997 the centre-left government called for new migration policies, in 2002 a conservative governance under Jean-Pierre Raffarin (UMP) took over) to have a slight rise again in the period 2002-2005.

Graph 6.2: Tightness of immigration reforms over time, 1980-2005



Source: Human Development Research Paper 2009/06

6.3 HIGHLY- SKILLED MIGRATION POLICIES IN FRANCE

The French government wishes to give the right to abide only to migrants who do not lessen the average productivity in France (Geschrieben von: Daniel Naujoks, 2006). Recently, France has introduced a scheme of “selected immigration” with an explicit focus on limiting family migration while welcoming those with skills in particular areas. Based on sectorial and geographical recruitment needs, those selected for their skills and talent are offered three-year visas and preferential treatment regarding integration requirements. In particular, two permits, valid for 3 years, were created by Act of July 24, 2006 to attract highly skilled workers:

The temporary residence permit called ‘skills and talents’ (‘carte compétences et talents’: CCT), claims that qualified immigrants are likely to participate because of his skills and talents, to economic development or to radiation, by participating the intellectual, scientific, cultural, humanitarian or athletic world of France and the country of his nationality. This permit is given by the Ambassador of France in the country in which he resides abroad or by the Prefect of the department of residence on the basis of criteria determined

each year by the National Commission of skills and talents⁴⁰. The alien can perform any work under the project presented to him when he applied for this card. This scheme is not applicable to Algerian nationals because they are governed by a special agreement. Family members receive a temporary residence permit ‘private and family life’ of 1 year, which allows them to work.

The temporary residence permit marked ‘employee on mission’ is valid for 3 years and it is in respect to two categories of aliens: Firstly, aliens seconded by an employer based outside France when the assignment takes place between institutions within the same company or between companies within a group. The employee must show a work contract in the company dating back at least 3 months. The gross earnings of the employee is at least equal to 1.5 minimum salary (SMIC) and the temporary assignment is at least 3 months. The alien brings his expertise to a French company in the same group - or following a specific training for the implementation of a project abroad. Secondly, foreigner’s holders of an employment contract with a company based in France where the introduction is made between institutions within the same company or between companies within a group. The gross earnings of the employee is at least equal to 1.5 minimum salary (“SMIC”). Family members of an employee who is on a mission continuously for 6 months in France receive a temporary residence permit "private and family life" of one year renewable and allowing them to work⁴¹.

6.4 CONCLUSIONS

The long migration history in France – more than two hundred years- undoubtedly has created an experienced and sophisticated migration policy. French targets over migration are very clear and in line with the EU: High skilled migrants increase the added value of French economy and integrate socially, low skilled migration should be deteriorated at zero level through

⁴⁰ It is issued in France

⁴¹ Statistics 2008 and August 2009: -« CCT »: 2008: 472. August 2009: 363 -“Salarié en mission”: 2008: 1 839. August 2009 : 1 369

forbidding reunifications and irregular immigrants should be deported. It seems like a controlled demand approach is being followed, very well structured and with determination on the policies' implementation.

However, restricted policies on family reunifications and unskilled workers are implemented no matter what, forcing many times migrants to protest intensively. The protests for 'Pasqua laws' reached their high point in 1996 in the occupation of a church in Paris by Africans and Chinese who had lived for many years in France without a residence permit and who wanted to draw attention to their precarious situation. Thousands of people supported the protest campaigns of the 'sans papiers'⁴².

Moreover, the persistence on high skilled migration policies has been regarded as a controlled, demand-oriented approach. However, this approach has been severely criticized by human rights organizations and different political parties. They have described the concept of immigration selectiveness as disposable immigration, since in their opinion only economic benefits – and not the people themselves – take priority. The recent events in France as regards Romanians reveal clearly the extent of the problem and may be the beginning of a new period as regards migration in France which, at the same time, is confronted to major socio-economic problems as it is the case in most European countries (public deficits, lack of competitiveness, social inequalities as well as new forms of poverty concerning national and foreign citizens).

Finally in France, we observe a permanent conflict between the principles of human rights (Philosophy of the French Constitution) and the economical and political reality.

⁴² 'without papers'. This term applies to irregular migrants in France

7 CONCLUSIONS

This work presents the issue of international migration flows in relevance to regional inequalities and focuses on the EU trend selectiveness in migration policies. Theoretically speaking it seems like the two fields- international migration and regional inequalities- could be directly connected through the role of the migrants' distribution on regional growth. The theoretical hypothesis made was that migration flows translated to human resources influence the economic growth and their spatial distribution influence regional inequalities. Elements from EPSON and Eurostat confirm the connection and present a rise on the core-periphery economic inequalities because of international migration flows.

In a try to present as many aspects of the issue as possible, there was made an analysis on the regions of two member states (France and Spain) and their migrants balance. The analysis made in Chapter two does not confirm a positive linear correlation between the regional 'attractiveness' (measured with migrants influx on regions) and regional economic growth. In fact, it seems like in recent years the most dynamic regions are not followed by the higher rates of migrants 'attract', maybe due to social and cultural reasons. Of course, the analysis made in this work, uses a small number of regions and do not take under consideration other important determinants of the issue, due to limited data recourses. In other words, and as far as limitations allow to be said, international migration flows from a positive growth determinant has started to be considered as an inhibitory one and might be the low growth levels, the rise of irregular migration or the economic crisis to blame.

Nevertheless of the bibliography's observations and the analysis results, one thing is absolutely certain: international migration flows request a migration policy. How EU reacts to this need? In what level the EU member states adopt the EU directions and what is their governments' contribution to migration laws. The European Union has made lots of efforts to manage migration flows but many of them resulted to fragmented regulations and unsuccessful. EU has for a long term targeting to create a *common* migration policy but this balancing act seems to be a great challenge. On the one hand Europe needs more immigrants because of its shrinking population and on the other it wants to prevent illegal immigration more effectively. Conflicting interests makes it more difficult to agree in a common migration policy. For example, northern EU countries were annoyed in 2005, when

Spain gave residency to 750,000 illegal immigrants as they believe such amnesties are a ‘pull factor’ that spark off mass migrations to Europe. In addition, Spain and Mediterranean countries also seek from the EU financial resources to help them control the burden of being the EU’s gateway. Cyprus, Greece, Malta, Portugal and Spain have all criticized the EU for not helping them enough with large-scale migration from Africa and the Middle East. Nevertheless EU nowadays seems to agree that a common migration policy should focus on three dimensions:

- Legal migration as a part of the development process is in relevance with the selective migration policy. EU as seeking to become a knowledge based economy recognizes as the only migrants needed, the highly-skilled. To avoid brain drain effects EU supports temporary migration and invests on migrants returning (to their origin countries) programs.
- Illegal migration is dealt with zero tolerance by EU adopting restrict boarder controls and deportations of illegal aliens, already entered member-states.
- Upcoming international migration flows prevention includes agreements and financial help with the most important origin countries like Africa.

As Spain is concerned, the short but extremely intense migration history and the mismatch between EU directions and national needs on the issue of international migration resulted to rather puzzled and not well organized migration policies, which until today leave room for irregular migration. Restricted migration policies with some times unclear targets and implementation processes, still, seems to focus in managing labor migrants and not attracting high skilled migrants. Nevertheless, choices like regional authorities interfere (though limited) to migration policy could be characterized as innovative, while the participation of trade unions and employer organizations seems to set a demand-oriented management of international migration flows. Finally, though a selective migration policy is not clearly reflexing to Spanish migration policy, like France, measures taken to attract high skilled foreigners do not lack in number or privileges from other EU member-states.

The long migration history in France – more than two hundred years-undoubtedly has created an experienced and sophisticated migration policy. French targets over migration are very clear and in line with the EU targets: high skilled migrants increase the added value of French economy and

integrate socially, low skilled migration should be deteriorated at zero level through forbidding reunifications and irregular immigrants should be deported. It seems like a controlled demand approach is being followed, very well structured and with determination on the policies' implementation. However, restricted policies on family reunifications and unskilled workers are implemented no matter what, forcing many times migrants to protest intensively. Moreover, the persistence on high skilled migration policies has been regarded as a controlled, demand-oriented approach. However, this approach has been severely criticized by human rights organizations and parties on the left. They have described the concept of immigration selectiveness as disposable immigration, since in their opinion only economic benefits – and not the people themselves – take priority. Finally, France shows even more restricted attitude towards irregular migration, as massive deportations take place and with the public opinion's blessings (e.g. Romanians).

Finally, comparing the two EU member states raise some very important elements. According to Tables 7.1 and 7.2 international migration flows are obviously more intense in Spain. Spanish entrance permits are doubled and tripled to french entrance permits where refuses are almost incomparable. Basing on the two tables, it could be said that, despite differences in migration demand, during last seven years Spanish migration policy is far more restricted than French migration policy

Table 7.1 Total annual permits & refuses in Spain

Years	Total initial permits	Total annual refuses	Number of permits for 100 refuses
2003	238.141	706.081	34
2004	461.335	599.040	77
2005	919.575	628.463	146
2006	370.923	630.305	59
2007	466.458	644.989	72

Source: Eurostat Database

Table 7.2 Total annual permits & refuses in France

Years	Total initial permits	Total annual refuses	Number of permits for 100 refuses
2003	-	32.223	-
2004	191.850	33.232	577
2005	187.134	35.921	520
2006	183.261	34.127	646
2007	171.907	26.593	646
2008	182.688	29.472	619

Source: Eurostat Database

In conclusion, and with regards to selectiveness, by the nature of selective migration policies regional disparities could be strengthened in a national and EU level as already rich regions are enriched with high added value human resources. Moreover, through them, seems to appear a new form of competition among EU countries. Member states with big rates of economic growth and high added value activities (technology), are going to develop compete to attract the high skilled workers from all over the world with a direct impact on regional level. Finally, from the above observation another issue could be occurred: Are destination countries unable to ‘produce’ for themselves high skilled human resources?

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