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**Rewarding Migration to Strengthen the
Link between International Migration and Development**

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Robert Schuman Centre For Advanced Studies

Workshop III

International Migration: A Positive Sum Game?

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Never as much as today, have international migrations been explicitly recognized as a contributory factor to development in migrants' destination and origin countries. Not only remittances are presented as a stable source of foreign currencies which can contribute to development and enhance the welfare of migrants' households; but the contribution of migrants to growth and development is also stressed.

The 1994 International Conference on Population and Development, held in Cairo, exemplified the attention paid by the international development community to the ways in which migration affects and is affected by development. It also laid the basis for further consultative processes aimed at promoting the *orderly management of international migration*. The first chapter of this study analyses the assumptions on which the migration management policies rest and tries to explain how and why the recurrence of consultative processes, aimed at debating upon the link between migration and development, has been conducive to their gradual consolidation. The manifold factors which fostered their consolidation will be identified. Moreover, as demonstrated in the first chapter, the voluntary participation of the governmental representatives from receiving, sending and transit countries in such consultative processes has been conducive to the recognition of guiding principles and regulatory mechanisms. Despite the resilience of national vested interests as to how international migration should be managed, win-win solutions had to be found in order to present the "orderly management of international migration" in positive terms. In this respect, the adoption of temporary labour migrant schemes, together with the maximisation of remittances, the protection of migrants' rights, and the introduction of return programmes, have been increasingly viewed as acceptable solutions for all the parties involved, at least on the short term.

However, the adoption of temporary labour migrant schemes presupposes that emigration countries have the structural capacity to facilitate the return of their nationals and to reward their human and financial capital at home. Admittedly, while most emigration countries have adopted policies aimed at attracting remittances and at increasing their inflows, few of them have succeeded in capitalizing and drawing on the resources, knowledge, skills acquired by their returnees abroad. The second chapter explores how emigration countries have been responsive to the consolidation of the above-mentioned dominant interpretative framework pertaining to the orderly management of international migration. Morocco and Tunisia are a case in point. Both countries have taken an active part in the organisation of consultative meetings on migration and development, particularly in the context of the 5+5 ministerial dialogue. With specific reference to these two Mediterranean emigration countries, it will be argued that the extent to which some emigration countries have been dealing

with the issue of return migration and development is not only reflective of their respective migration management policies but also of the extent to which they succeeded in incorporating migration into their long-term social and economic agendas and in rewarding the human capital of their migrants. In this respect, the comparison between Morocco and Tunisia is extremely enlightening.

The Gradual Integration of Migration as a Contributory Factor to Development

The revival of the link between international migration and development has been celebrated by many intergovernmental and national institutions since the early 1990s. It has to be said that the issue had already been raised, during the 1970s, by the international community when the Organisation for Economic Co-operation and Development (OECD) invited a group of independent experts, chaired by Charles Kindleberger, to study “a development strategy in a context of the problem of migration” (OECD 1979, 2) as a result of the tightening of the European immigration policies. The collective report was explicit in arguing that “the taking of unilateral decisions to stop further inflows of labour is a contradiction not only with the underlying philosophy of the liberalisation of manpower movement [...], but also with the guiding principles for facilitating the orientation of national policies and their concertation at international level” (OECD 1979, 9). As a matter of fact, one of the main recommendations of the experts consisted in seeking bilateral agreements and consultations with a view to developing new types of relationships between immigration and emigration countries, based on a “real development strategy which could take into account the rational utilisation of human resources” (OECD 1979, 10). There is no question that the main thrust of the Kindleberger report lies in stressing the need for bilateral agreements between emigration and immigration countries when it comes to deal constructively with migration and development issues. Additionally, the report explicitly explained in its conclusive recommendations that any policy aimed at encouraging return migration would be wasted if no effort is made to support the economic growth of migrant-sending countries and to lower the international disparities between core and peripheral countries (OECD 1979, 43).

The reference to the Kindleberger report is not fortuitous. Its publication represents perhaps the first stage of the long and controversial debates that have taken place since the late 1970s to date on the link between migration and development. The point of this chapter is not to enumerate the numerous international events and initiatives that have been dealing with migration and development since the publication of the Kindleberger report. Recent research (Olesen 2003) has

already provided informative and exhaustive analyses of the initiatives that have been put forward by intergovernmental institutions. Rather, it is to analyse the assumptions on which the various debates related to migration and development rest, at international and national levels.

Such debates have in fact led to contrasting conclusions and hypotheses regarding the relationship between migration and development in origin countries. It seems that these debates have revolved around three poles of contention. The first pole contends that development in migrant-sending countries allows migration pressures to be decreased, thanks to the gradual lowering of wage differentials between sending and receiving countries. The second pole qualifies the first-pole contention and argues that economic development increases migration pressures, in the short term, and that only in the long term, when the resources and benefits of economic development are well-allocated among the population of the emigration country, people are less motivated to emigrate; only then migration pressures decrease. The “migration hump” model (Martin & Taylor 1996) is part of this second pole of reflection. The third pole of contention, perhaps the most recent, claims that migration can constitute a contributory factor to development in origin countries, if migration movements are orderly managed, and that migrants should be viewed as potential actors of development in their own origin countries.

The sixteen-chapter plan of action of the 1994 International Conference on Population and Development (ICPD)¹, organised by the United Nations in Cairo, constituted a clear illustration of the above-mentioned third pole of contention regarding the interrelationship between migration and development. Migration was presented in Chapter X as a phenomenon that “both affects and is affected by the development process”, having potentially disruptive consequences on both receiving and sending areas if not orderly managed, but also “positive consequences for the development of both sending and receiving countries.” Although the plan of action offers no explanation of the notion pertaining to the *orderly management of international migration*, it seems to cover many aspects pertaining, among others, to the monitoring of international migration, the identification of the *root causes* of migration, the gathering of data on flows, and the need to bridge the resilient economic gap between developed and developing countries. Furthermore, the “contribution that expatriate nationals can make to the economic development of their countries of origin” is recognised, but not assessed.

¹ See <http://www.cnie.org/pop/icpd>

Admittedly, the 1994 ICDP programme of action represents a landmark in the long discussion related to migration and development, not so much because it highlighted migrants' potential for development in receiving and sending countries or else because population issues are now recognised as being at the core of developing countries' development challenge, as because it underscored the need for reinforced migration management with a view to coming to terms with illegal migration flows by introducing temporary migration schemes. Moreover, the programme of action mentioned that the orderly management of international migration is dependent not only on receiving and sending countries' governments, but also on the participation of migrants themselves.

Four years later, the June 1998 Technical Symposium on International Migration and Development held in The Hague reasserted the need to identify the root causes of migration as well as the mechanisms through which international migration influences development. Furthermore, with a view to justifying the introduction of temporary migration schemes as well as their benefits for sending and receiving countries, the reference to the New Economics of Labour Migration (NELM) was explicitly made.

The reference to the theoretical insights of the NELM constitutes a good example of how research can contribute to the enhanced understanding of migration phenomena. Nonetheless, this theoretical borrowing by the advocates of temporary worker schemes is all but coincidental, for it argues that migrants go abroad with a view to increasing their earnings, for a limited period of time, before returning home. Migration is presented as a calculated strategy (see Box 1) aimed at providing the household at home with additional resources (i.e., remittances) which compensate for the absence of an effective insurance market in the origin country. Migrants are viewed as target-earners or foreign-income bearers who move abroad temporarily to reap the benefits of migration before returning home.

The temporary dimension of labour migration movements and the economic-oriented vision of migrants, which are part and parcel of the contention of the NELM, explain why this theory has received increasing policy attention since the mid 1990s, amongst the development community. There is no question that the insights of the NELM have contributed to pushing the migration-management argument. Despite its definitional sloppiness, the migration management argument has gained momentum.

Box 1

The New Economics of Labour Migration (NELM) views migration as a “calculated strategy”, defined at the level of the migrant’s household, and resulting from the successful achievement of goals or target. In fact, as Oded Stark’s seminal book argues, the NELM approach “shifts the focus of migration theory from individual independence [...] to mutual interdependence” (Stark 1991, 26), i.e., at the level of the family or the household. Moreover, it views return as the natural outcome of a successful experience abroad during which migrants met their goals (i.e., higher incomes and accumulation of savings) while remitting part of their incomes to the household. Remittances are part and parcel of a strategy aimed at diversifying the resources of the household with a view to better compensating for the risks linked to the absence of an efficient insurance markets in home countries. They also constitute one explanatory factor of the return decision, together with the attachment to the home country.

In contrast to the neo-classical model which views the migrant as an individual who maximises not only his earnings but also the duration of his stay abroad to achieve permanent settlement and family reunification, the NELM theorists argue that migration is part of a well-prepared project which shapes not only the propensity of migrants to “exert a higher level of work effort [in receiving countries] than that exerted by native-born workers” (Stark 1991, 392) and to save more money than native-born workers (Stark & Galor 1990), but also their level of socialization in receiving countries as well as their incentives to gain additional skills or on-the-job training. In fact, according to NELM, migrants go abroad for a limited period of time, i.e., until they succeed in providing their households with the liquidity and income insurance they expect to earn. The planning of the migration project has a bearing on the behavioural patterns of the migrant in the host society, as well as on his own professional advancement.

The NELM differs from the neo-classical economics approach to international migration in terms of duration of stay and migration targets, in that it contends that people move on a temporary basis to achieve their goals or targets in receiving countries, as a prerequisite to returning home. Furthermore, the duration of stay abroad is calculated with reference to the need of the household, in terms of insurance and purchasing power of savings. Once such needs are fulfilled, return migration occurs.

There is no question that the NELM proposes valuable insights regarding the reasons for which people move abroad and return home. Migrants have clearly defined projects or strategies before, during and after their migration experiences. In fact, the aforementioned “calculated strategy” is for the NELM a way of stressing the fact that the migration decision can no longer be viewed “as an act of desperation or boundless optimism” (Stark 1996, 26).

Nonetheless, this theoretical interpretation has several shortcomings. The first one relates to the actors themselves and to their motivations for return. These seem to be determined by financial or economic factors only, while providing little explanation of how remittances and skills are used in home countries. The second one pertains to the fact that returnees are exclusively viewed as foreign-income bearers or “financial intermediaries”, as Edward Taylor (1996) would put it. Moreover, while the NELM tries to explain when and why the decision to return home takes place, there is virtually no reference to where migrants return. Not only do we not understand how the strategies are planned and reshaped when return takes place, but the interaction beyond the returnee’s family or household remains unaccounted for. Finally, the decisions and strategies of the returnees seem to be isolated from their social and political environment, without correlating them with contextual factors at home; a contention questioned by the structuralists and social network theorists.

The re-interpretation of the theoretical insights of the NELM has been conducive to the gradual adoption and legitimisation of the monitoring and control tools contained in migration management policies. Furthermore, its theoretical premises offer insights into migration movements that can be easily re-adapted to a form of compromise between the advocates of restrictive measures, who view immigration as a cultural environmental societal or security threat to modern states’ sovereignty,

and the advocates of neo-liberal immigration policies who reject the argument related to state's sovereignty undermined by transnational migration movements and who contend that modern states' sovereignty is adaptively "self-limited" (Joppke 1998, 284). The neo-liberal argument also contends that labour migration is a fully-fledged component of modern industrialised receiving countries, and that businesses in such countries "can form powerful lobbies; and under the right conditions, they can capture parts of the state in order to maintain access to vital input" (Hollified 2000, 93). In other words, they argue that security concerns linked to immigration issues (whether legal or illegal) stem primarily from a social and political construct, as well as from macroeconomic interests (Rudolph 2003), that shape immigration regimes and make them highly diverse.

But what accounts for the emergence and crystallisation of migration management policies, at a multilateral level? In many ways, their promotion is not surprising.

In fact, as explained below, migration management policies have to be correlated with the inefficiency of tightened immigration policies to systematically counter irregular migration, following the end of the Cold War and the substantial population movements which occurred in the wake of the Gulf War in the early 1990s. These policies are premised on the assumption that the isolated and ad hoc policies aimed at responding to these events, based on the introduction of restricted asylum policies, have generated further illegal migration without tackling the growing challenge of migrant-trafficking. Furthermore, the emotional media coverage generated negative public perceptions of migrants in general, and asylum-seekers, in particular. Such negative perceptions had also an impact on the credibility of states and national political regimes in dealing consistently with the challenges of illegal migration and asylum. These events raised a host of challenging problems having political, social, institutional and legal implications. They also led to the awareness of the need for a global multilateral cooperative regime, in the field of migration and population movements, which would combine the realist approach with the neo-liberal approach to state sovereignty and international migration.

Admittedly, this global cooperative regime could not emerge overnight. Its practical introduction can be traced back to the above-mentioned 1994 ICPD, and its concrete implementation seems to be embodied in the Global Commission on International Migration (GCIM) created in December 2003. As a prerequisite to explaining why the GCIM seems to be promised to play a central role in defining an international regulatory regime for migration management, we need to delve into the factors and processes which were conducive to the creation of the GCIM.

From a Consultative to a Proactive International Agenda?

The recommendations contained in the 1994 ICPD contributed to laying the bases of an international debate on the need to better coordinate migration policies while highlighting the consequences of migration in the development of both receiving and sending countries. In fact, the June 1998 Technical Symposium on International Migration and Development (TSIMD) held in The Hague was aimed, among others, at assessing the progress made in implementing the recommendations contained in the 1994 ICPD plan of action. However, this event was not an international conference, but rather a technical one gathering international experts who did not *recommend* any action to be taken in the field of migration and development. Rather, they *suggest* that further knowledge should be gathered about the interrelationship between development and migration. The consultative mandate of the 1998 TSIMD stemmed from the resilience of deep divisions and interest conflicts between countries of emigration and of immigration which had become explicit during the previous 1994 ICPD. Although the political significance of the 1998 symposium was toned down, if not non-existent, it “helped maintain the momentum towards greater international cooperation”, as Stephen Castles (1999, 7) commented.

Castles’ comment on the impact of the 1998 TSIMD should not be dismissed as merely high-flown or ideologically oriented. With hindsight, the organization of an intergovernmental conference would certainly have stirred unfruitful tensions among the parties involved on such touchy topics as illegal migration, migrant-smuggling, forced migration, women-trafficking, migrants’ human rights and family reunification in host countries, asylum and refugee laws, readmission programmes, returnees’ reintegration, and the brain drain, to mention just a few. Admittedly, further “concertation”, as Kindleberger would put it, and less recommendations, was still needed in order to turn the “orderly” management of migration into a win-win programme overcoming the conflicting interests between receiving and sending countries. Moreover, further informal debates and exchanges of experiences were necessary to recognise the extent to which migrations had contributed to strengthening international interdependence between states across national boundaries, and to define the terms of a global multilateral regime in the field of migration, and finally, to enhance the potential contribution of migration to development.

The point is not to argue that today such informal debates and meetings are no longer necessary; rather, they still are. However, their evolution and frequencies, as well as their consultative *raison d’être* and informal setting, have gradually turned such informal meetings into some sort of clearing

houses where the participants feel they can express and share their opinions and viewpoints with their counterparts, freely and on an equal basis.

From 1998 onwards, a plethora of consultative initiatives, conferences and informal meetings have taken place, in the context of regional cooperation, gathering government officials from sending and receiving countries as well as international experts and scholars. The analysis of these events goes beyond the scope of this paper.² Nonetheless, from a general point of view, it is possible to identify five basic reasons for which these consultative informal meetings succeeded in mobilizing the attention of officials from receiving, sending and transit countries:

- Firstly, it is primarily aimed at fostering inter-state cooperation on migration management; hence at developing an inter-state approach that puts national governments at the centre of discussions. Consequently, beyond their conflicting interests, government officials feel that state sovereignty will never be questioned and, above all, that domestic migration policies matter, even if they are expressed in an international framework.
- Secondly, the participation in such consultative meetings or seminars occurs on a voluntary basis. Deliberations are kept confidential with a view to favouring free debates on all issues pertaining to migration. States' officials choose to participate in such events to gauge the views and attitudes of their counterparts, but also because they expect their views and interests to be taken seriously. Additionally, the voluntary dimension of participation implies that if a State decides not to be involved in such consultative forums, then its refusal may be interpreted as a form of defection or unwillingness to take part in the game.
- Thirdly, by promoting the free exchange of viewpoints and experiences among government officials and senior migration managers, these consultative events are also aimed at establishing an international network of contacts and relationships that is conducive to a kind of intellectual ambience, or process of socialisation which is expected to raise awareness among the participants. In this respect, the term "network" could be better understood with reference to the definitions provided by network and exchange theorists who contend that networks are selectively organised (Church *et al* 2002, 23), and that membership is voluntary. Moreover, to be maintained in the long run, networks are based on an exchange process of material

² Let us cite, among others, the International Symposium: Towards Regional Cooperation in Irregular/Undocumented Migration, held at Bangkok from 21 to 23 April 1999, which adopted the Bangkok Declaration on Irregular Migration; the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, held at Geneva on 30 and 31 May 1996; the Regional Conference on Migration in North and Central America;

informational and symbolic resources or “valued items” (Cook 1992, 110) which in turn reinforces a social structure. The exchange occurs because of the value of the items transferred within the network and “ties between actors are established, maintained, or broken primarily in terms of the ‘value’ provided by exchange relations” (Cook 1982, 195).

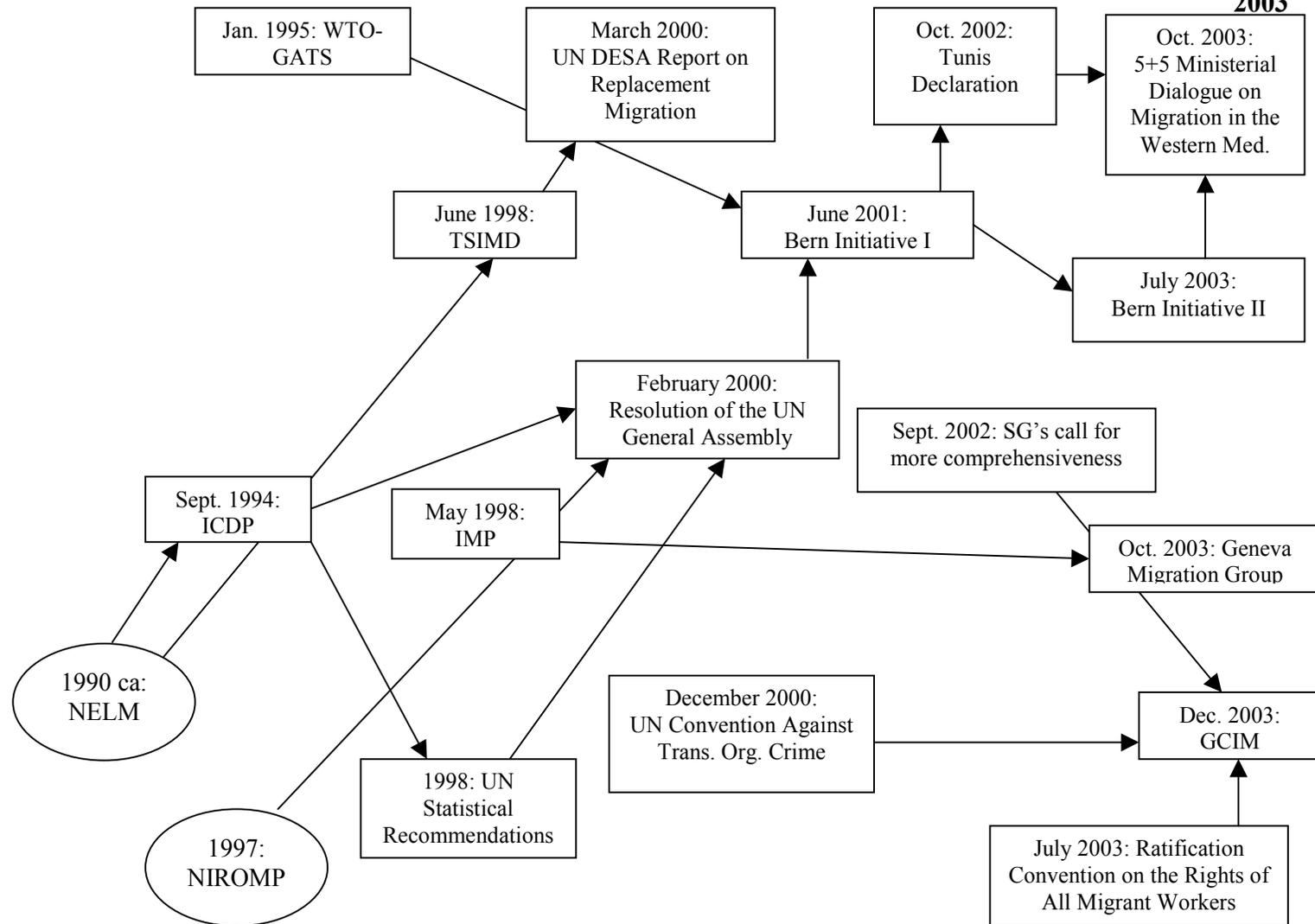
- Fourthly, the organisation of consultative meetings, on a regular basis, together with the exchange of information and experiences, may also favour the adoption of a kind of overriding common lexicon which constitutes a prerequisite to defining guiding principles or a plan of action and to guaranteeing mutual understanding. The absence of this common lexicon was perhaps one of the various reasons for which the 1994 ICPD did not yield the expected results.
- Fifthly, the holding of such consultative meetings gives the organisers the opportunity to enhance the centrality and legitimacy of their roles and expertise in such networks, by gradually acting as intermediaries (or moderators) between national and international institutions. This corollary factor may also explain the proliferation of international consultative events addressing migration issues.³

and the Mediterranean Conference on Population, Migration and Development, held at Palma de Mallorca from 15 to 17 October 1998; the International Symposium on Migration, held at Bern on 14 and 15 June 2001.

³ For a detailed and comprehensive enumeration of all the UN and non-Un bodies and programmes that address the link between international migration and development see United Nations General Assembly, *Report of the Secretary-General*, 56th session, A/56/167, 3 July 2001.

1979

2003



Kindleberger Report

A New Lexicon

In fact, a concrete illustration of the above-mentioned goals lies in the numerous consultative meetings and symposia (see diagram on the previous page) that have taken place since the mid 1990s to date. These have gradually favoured the unquestioned introduction of a new lexicon including such notions as:

- *orderliness*, as opposed to the chaos or complexity which arguably characterise international population movements.
- *harmonisation*, as applied to information and data gathering on entry controls and visas.⁴
- *temporariness*, as opposed to the permanent settlement of migrants abroad.
- *circulation*, as opposed to the circularity inherent in cross-border migration movements. which implies that people do not settle permanently, but on a temporary basis.
- *transparency*. This term refers to the clear rules and procedures that characterise a migration regime.
- *predictability*. Through the collection and sharing of reliable data, governments and international agencies should be in a position to analyse and prevent the manifold phenomena that influence migration flows.
- *root causes* [of migration]. This term pertains to all the factors that stimulate, directly or indirectly, unwanted migration flows. A root-cause approach to migration is preventive.
- *best practices*, i.e., the optimal ways of dealing with migration management challenges.
- *balanced approach*, i.e., receiving as well as sending countries must feel that their sovereign interests are taken into account. The approach is based on mutual benefits.
- *consistency*, i.e., as applied to domestic migration laws. Domestic migration laws are consistent when they are aligned with international rules and conventions.
- *comprehensive* or *integrated*, i.e., the approach to migration management is comprehensive or integrated in that it covers many provisions aimed at tackling the root causes of migration.
- *mutual responsibility* or *burden-sharing*. This implies that individual states can no longer act as free-riders when dealing with migration issues. Receiving, sending and transit countries should act in a concerted manner in order to limit the implications of unwanted migration.

⁴ Since its inception in May 1998, the International Migration Policy Programme (IMP) has played a crucial role in identifying the needs of government officials from receiving and sending countries in an attempt to strengthen cooperation on migration and refugee policies, through the dissemination of information, and the provision of training programmes, aimed among others at enhancing the harmonisation of data systems and training of officials. The IMP constitutes an inter-agency programme, under the aegis of the United Nations Population Fund (UNFPA), the United

Beyond these lexical exercises, there is no question that a lot remains to be done to reach a multilateral consensual degree among the actors involved in migration management policies. Multilateralism, based on the transition from cooperation to coordination, is a long-term evolutive process in the history of international regimes (e.g., GATT, WTO). In the field of migration management, James Hollifield clearly explained how the resilience of asymmetric patterns of development between receiving and sending countries constitutes the main impediment to “fulfil the [three basic] prerequisites of multilateralism: indivisibility, generalized principles of conduct, and diffuse reciprocity” (Hollifield 2000, 101).

Nonetheless, although we share Hollifield’s pessimistic forecasts regarding the long road to multilateralism, it is reasonable to believe that the repeated consultations and symposia on migration management, together with their recurrent lexicon, have contributed to consolidating a dominant strategy, i.e., the need for a “comprehensive” or global international migration management strategy. What does this imply?

A Top-Down Managerial Framework

With a view to introducing regulatory mechanisms and guiding principles through which migrations could be effectively managed, at a global level, the processes of consultations had to identify common benefits to all the parties involved (i.e., to destination, origin and transit countries), taking into account their respective sovereign interests.

The identification of mutual benefits was a crucial step to present migration management in positive terms (i.e., the so-called “balanced approach”), not only by enhancing the contributory effects of migration on domestic development and growth, but also by reasserting the managerial centrality of the state. Such policies are also aimed at strengthening the public credibility of states in controlling their borders and in possessing the efficient instruments to protect their citizens and to defend their rights. Hence, security concerns are also part and parcel of migration management policies, whether these are adopted by receiving or sending countries. Furthermore, their enforcement implies a sort of dichotomy between what is managed and legitimate, and what is not managed and illegitimate and potentially subject to abuse and human-trafficking.

When talking in terms of migration management policies, participants expect that inter-state cooperation should be conducive to win-win solutions that at once respond to the needs of

receiving, sending and transit countries, without compromising their respective vested interests. In this respect, the adoption of temporary labour migrant schemes, together with the maximisation of remittances, the protection of migrants' rights, and the introduction of return programmes have been increasingly presented as an acceptable solutions for all the parties involved, at least on the short term.

The Bern Initiative, which constitutes another inter-state consultative process launched in Geneva at the June 2001 International Symposium on Migration, epitomises these win-win solutions. They are aimed at developing a cooperative approach to international migration, "based on the common understandings, recognition of national and regional interests, state sovereignty, respect for the rule of law and internationally recognised principles, shared appreciation of sound practices in migration management, mutual trust and partnership, transparency, predictability and coherence."⁵ Interestingly, just like the theoretical insights of the NELM were presented at the 1998 TSIMD to support the implementation of temporary labour schemes for the benefit of all the parties involved in the consultations on migration management, the analytical design of the New International Regime for Orderly Movements of People (NIROMP) has fostered the gradual recognition of the need for a more proactive concerted action in the field of migration management, since the early 2000 onwards.

However, unlike the NELM, the NIROMP is the direct outcome of the above-mentioned consultative processes. It was informally discussed at IOM headquarters in September 1997 (IOM 1997, 6) and was extensively developed in a recent volume edited by Bimal Ghosh (2000a). In fact, NIROMP results directly from the consultative processes that have taken place since the mid 1990s. Its objectives, based on the "balanced approach" to international migration management, reassert the managerial centrality of the state, as well as the need for consensus-building (IOM 1997, 12) among receiving, sending and transit countries. They also address various issues pertaining to:

- migrants' basic rights (against labour exploitation, social and economic discrimination);
- all forms of migration flows (regular and irregular), as well as reintegration policies and return movements;
- a comprehensive approach to the root causes of international migration which takes account of the influence of such interrelated areas as citizenship and democracy, labour markets and development, trade, development aid, and environment.

International Labour Office (ILO). See <http://www.impprog.ch>

Although NIROMP builds on the previous consultative meetings regarding international migration management, its scope goes much further than the mere enumeration of non-binding and non-prescriptive measures. As Ghosh explains:

“the new regime [i.e., NIROMP] must be based on three central pillars: (1) establishment of a set of shared objectives; (2) development of an agreed and internationally harmonized normative framework to ensure coherence of action at national, regional and global levels; and (3) the setting up of a coordinated institutional arrangement, including a monitoring mechanism. At present, the responsibility for migration issues at the global level is dispersed among several intergovernmental organizations, without a clear focal point. Through the new arrangement, the current inter-agency relationship could be streamlined and coordination further improved” (Ghosh 2000, 227).

On the long way towards the multilateralization of migration management policies, NIROMP does constitute a crucial landmark in laying the basis for a proactive agenda regarding international migration management. This agenda is viewed as being proactive by the proponent insofar as it enumerates rules, principles, reciprocal obligations, responsibilities, and monitoring mechanisms aimed at coordinating migration management policies and at assessing their actual implementation by all the parties involved. In this respect, the regime is also based on conditional measures (Ghosh 2000, 227) which would tactically link trade concessions and development aid with the actual adoption and enforcement, on the part of source countries, of policies aimed at curbing illegal migration, among others. As explained in the second part of this study, such conditional measures have gained momentum in the relations between Morocco and Tunisia, on the one hand, and their European neighbours, on the other.

Ghosh is careful not to propose the setting up of a “global supranational institution” as a logical solution to come to terms with the above-mentioned dispersion, among international agencies, of the responsibility for migration issues. Nor does he explain how the inter-agency relationship could be streamlined with a view to improving the *coordination* (emphasis mine) of migration management policies. Wrestling with his contradictory arguments, Ghosh is keen to make clear that “while the framework agreement lays down a set of common norms and principles, individual states retain their respective rights to apply and implement them within their national territories” (Ghosh 2000, 243).

⁵ Information Note Rev. I of the Bern Initiative, available at <http://www.iom.int/en/know/berneinitiative/index.shtml>

Though it is too early to argue whether NIROMP will be concretely implemented, its publicised premises were extremely useful to highlight that the building of a global agenda is dependent on three basic preconditions:

- *Stronger collective action and coherence among the numerous international organisations dealing with international migration issues, within and outside the United Nations system.* Avoiding the “duplication of efforts”⁶ and making the objectives of their consultative meetings consistent and not fragmented is a prerequisite to appearing as credible partners. Coordination has to be further improved.⁷
- *The gradual recognition of guiding principles.* These principles are mentioned in conventions and treaties, at international level. For those states who ratified them, such conventions are legally binding. For those states who have not ratified them yet, such conventions are viewed as a set of global priorities that have no binding commitment, at a national level. Nonetheless, despite states’ reticence to ratify international conventions, the public campaigns supported by international organizations and NGOs may encourage national states to gradually adapt their national agendas to the guiding principles contained in such conventions, shedding light on the causes of their reticence. In this respect, the process of ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (UNGA 1990), adopted in 1990 and ratified in 2003, is a case in point.
- *Raising awareness through the dissemination of reliable data and reports.* Data not only provide information about stocks and flows, they also contribute to shaping and legitimising an interpretative framework through the broad-based dissemination of analytical reports that are publicly accessible. There is no question that the dissemination of periodical reports and statistical data regarding the manifold dimensions of international migration has been crucial to orient the debates, at international, regional and national levels, towards a clearer vision of the dynamics that sustain international migration. Their online accessibility to the public and their dissemination to the media has also served this purpose. For instance, the conclusions of the

⁶ In fact, on the occasion of the first Coordination Meeting on International Migration, organized by the Population Division in July 2002, the representatives from over 20 organizations were urged to share their knowledge and expertise with a view to avoiding “duplication of efforts” (UN General Assembly, 58th session, A/58/98, 4).

⁷ In fact, the proliferation of consultations could potentially lead to counterproductive results jeopardising the credibility of the UN in the field of migration management. As a matter of fact, under the aegis of the UN Population Division of the Department of Economic and Social Affairs, two coordination meetings on international migration were organised in New York in July 2002 and October 2003. Both were responsive to the Secretary-General’s call for “a more comprehensive look at the various dimensions of the migration issue” (United Nations General Assembly 2002, 10). Moreover, it is in this context, characterised by the need for stronger coordination and knowledge-sharing among all the organizations involved in migration activities, that IOM created the Geneva Migration Group (GMG) in October 2003, in collaboration with UNHCR, UNHCHR, UNDOC, and UNCTAD. GMG constitutes a consultative inter-agency body aimed among others at “building alliances across a broad spectrum of organizations” and at exchanging information about population movements and at discussing ways of managing migration among the organizations involved.

March 2000 Replacement Migration report has raised public awareness that higher levels of immigration in major receiving countries can be viewed as a solution “to offset declines in the size of a population, declines in the population of working age as well as to offset the overall ageing of a population” (UN DESA 2000, 93).⁸ In the same vein, UNHCR (2002) published its first Statistical Yearbook which provides information about the conditions and types of refugees and underscored the need for improved national data collection, in the wake of the United Nations statistical recommendations (1998). However, the objectives of these publications go much further than the mere provision of statistical data. As the United Nations high commissioner for refugees stressed: “by providing objective data and indicators, the Yearbook may also help in assessing the burdens and responsibilities of countries hosting refugees” (UNHCR 2002, 11). Similarly, in the field of remittances, the World Bank’s Global Development Finance yearly volume dedicated in 2003 a whole chapter on migrants’ remittances and argued, among other things, that “facilitating international labour mobility is a crucial means of increasing remittance flows to developing countries” (Ratha 2003, 158).

It is reasonable to believe that today the United Nations have stepped up their consultative agenda. The consolidation of a dominant interpretative framework of international migration - based on the adoption of an overarching common lexicon, the recognition of guiding principles, and the recurrence of consultations since the mid 1990s – has gradually shed light on new cooperative paths towards the management of international migration. The recent establishment in December 2003 of the Geneva-based Global Commission on International Migration (GCIM) is a case in point.

The establishment of the GCIM is original in many respects, compared with the previous consultative initiatives that have been promoted since the mid 1990s. First, it is an independent non-UN commission. Second, it comprises a panel of eleven countries of emigration and immigration, jointly headed by Sweden and Switzerland. Third, it is not a consultative initiative; rather an independent think tank that is expected to issue a final report to the UN Secretary-General in mid-2005.

⁸ In this respect, it is interesting to note that, few years later, the French *Conseil Economique et Social* made a plea for softer labour immigration laws and called for the improved participation of new immigrants and of asylum-seekers in the domestic labour market with a view to strengthening the working population in France and to offsetting the ageing of its population of working age. “The Council recommends that asylum-seekers, whose number is increasing owing to serious war situations in many countries, should be better welcomed [in France]. It advocates that [asylum-seekers] should be allowed to work while they are awaiting for the outcome of their asylum application” (Conseil Economique et Social 2003, 2).

Despite its original characteristics, there are good reasons to believe that the GCIM panel will capitalise on the consultative initiatives that have been undertaken since the mid 1990s to date, recognising the instruments aimed at combating migrant-trafficking and at defending the human rights of migrant workers and their families. With hindsight, these consultative processes have as it were highlighted the inefficiency of restrictive immigration laws and placed receiving countries' governments in front of the implications of their politically inspired choices.

It is too early to argue whether the recent establishment of the Global Commission on International Migration (GCIM) will foster the adoption of a proactive agenda in the management of international migration, as advocated by Ghosh and others. Further progress in terms of cooperation among receiving, sending and transit countries is needed to turn international migration management into a mutually beneficial agenda, and to make it more proactive. In this prospect, the final report of the GCIM, slated in mid 2005, will certainly be essential.

Today, there is growing international consensus that migration contributes, among other things, to human and economic development in migrants' sending and receiving countries. Never as much as today have migration and development been presented in official speeches and reports as being complementary and interrelated. Admittedly, it is not yet clear how this interrelationship will be put into practice. Truly, migrants' potential for development is recognised. However, this recognition rests basically at the nexus of the impact of remittances (Ratha 2003) and the regulated circulation of international migration movements. Clearly, a new *Gasterbeiter* programme, which unwillingly led to the permanent settlement of migrant workers who were initially accepted in Germany on a temporary basis, is not on the agenda.

As mentioned above, the introduction of temporary labour migrant schemes is directly linked with the circulation argument. Migrants are not only viewed as target earners, who are expected to return to their countries of origin following the attainment of their migration objectives (i.e., accumulation of savings and remittances), as the NELM advocates would put it, but also as service providers.

There no clear idea of how long the temporary experience of migrants abroad should be. Temporary labour migrant schemes have to be primarily understood as an attempt to reverse what David Ellerman referred to as the "psychology of labour migration", i.e., the fact that "labour migration is essentially a way of life for the local communities [in sending countries]." He added: "[for host countries, temporary labour migrant schemes have] no immigration implications, and since the

workers are not accompanied by families, there are virtually no social implications. There might be other arrangements, but the goals of this sort of arrangement are solely earning to acquire a nest-egg which can then be used back in the home country perhaps to capitalize a small business – as well as learning new skills and new ways of doing business which can be applied in the home country [...] From the point of view of the home country, the regularization of this sort of scheme would help to reset psychological expectations so that work abroad would be seen as a path to local development rather than an escape from local under-development” (Ellerman 2003, 27).

Beyond the questionable vision of labour migration as a way of life, temporary labour migrant schemes are being presented as a credible solution to growth in migrants’ origin countries. However, such schemes require adequate policies supporting the reintegration of migrants in their origin countries. In other words, the success of temporary labour migrant schemes is contingent on favourable institutional, political, and economic conditions that foster the reintegration of returnees and allow the impact of their financial and human capital to be maximised. As Taylor warned, “creating a fertile ground for migration and remittances to contribute to broad-based income growth in migrant sending areas is the key to promoting development from migration” (Taylor 1999, 81).

Is the voluntary participation of sending countries’ officials in the above-mentioned consultative processes reflective of their readiness to create a fertile ground for migration to contribute to domestic development? Or are there other aspects which account for their participation? Naturally, it would be impossible to reply to these questions, from a general point of view. However, by focusing on some specific sending countries that took an active part in the organisation of the consultative processes, we can perhaps gain new insights on the extent to which they have succeeded in integrating the migration economy in their respective development agendas and particularly, on the reasons for which they may have a vested interest in promoting the implementation of temporary labour migrant schemes. In this respect, the comparison between Morocco and Tunisia turns out to be enlightening.

Rewarding the Migration Economy

It is important to recall that one of the reasons for which the above-mentioned consultative processes succeeded in mobilizing officials from sending countries stemmed from the fact that they offered a new forum of discussion on migration management which was more oriented towards a form of “regulated openness”, as Ghosh would put it, than towards closure. Migration was no longer viewed as being antithetical but complementary to trade and development, if properly

managed. This perception, advocated by the UN and other intergovernmental institutions, has aroused the attention of many sending countries whose domestic economies strongly benefit from migration. However, another aspect also justified their mobilization. The managerial centrality of the state, which is part and parcel of the regulatory mechanisms contained in the “balanced” approach to international migration management, constitutes a relevant explanatory element whose symbolic and political magnitude cannot be denied. The state is not only viewed as the actor who manages migration in order to maximise its effects on development, but also as the one who has the capacity to regulate the flows of labour migration.

The 5+5 ministerial dialogues that took place in Tunis in October 2002 and in Morocco in October 2003 were illustrative of this perception. It materialized in the adoption of the Tunis Declaration which reasserted the need for stronger co-operative mechanisms between the ten representatives of the governments of member states of the Western Mediterranean in such various fields as migrant-trafficking, labour migration and circulation, exchange of data and information, migrants’ participation in the development of their countries of origin, migrants’ rights and health, and improved migration management.

The Tunis Declaration included a set of objectives which highlighted, among others, the complementary relationship between migration and development as well as the economic, social and cultural contribution of migration in the sending and receiving countries of the Western Mediterranean. Moreover, Paragraph 14 stressed the need to “improve conditions to enable migrants to fully play their rightful role in the development of their country of origin, in particular through savings and investment.”

Admittedly, Paragraph 14 offers no novelty regarding migrants’ contribution to development in their countries of origin. Migrants continue to be predominantly viewed as foreign-owned income bearers whose savings and remittances should foster development. The next section explains how Morocco and Tunisia have respectively sustained and rewarded the link between development and migration, promoting the implementation of temporary labour migrant schemes.

Remittances and business investments

There has been for decades, and across disciplines, an unresolved debate on whether remittances could contribute or not to development and welfare in developing countries. Today, the current revival of the link between remittances and development in migrants' countries of origin seems to overlook this unresolved debate. The substantial multiplier effect of remittances sent to developing countries has been repeatedly asserted in public debates. The consultative meetings, mentioned in the first part of this study, are no exception. There is no question that, in some instances, remittances may generate a multiplier effect, at the level of the migrant's neighbourhood and beyond. However, this positive impact is more the consequence than the cause of favourable conditions. In other words, the multiplier effect of remittances constitutes a good barometer of the favourable institutional and structural conditions prevailing in migrants' countries of origin.

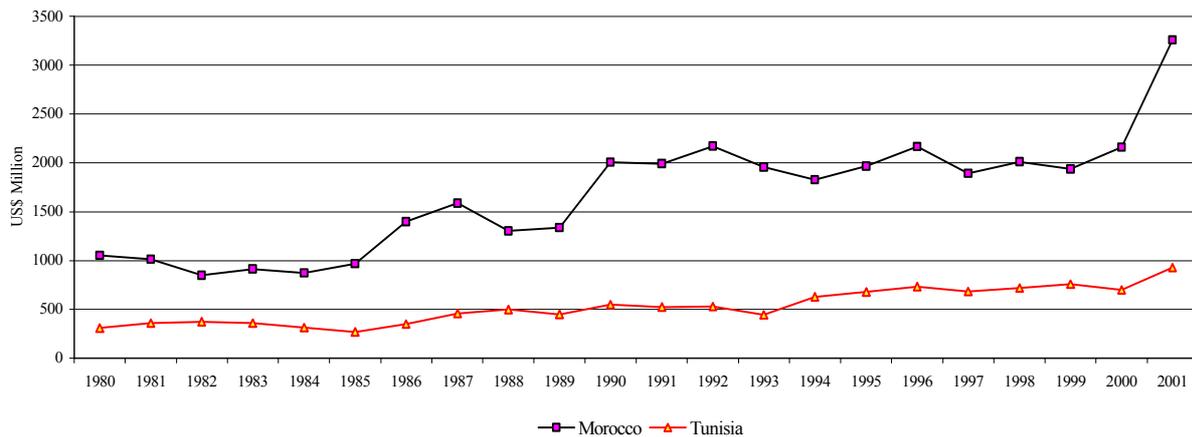
Moreover, as Fred Arnold (1992, 215-217) skilfully demonstrated, the contribution of remittances to development, as well as their use by migrants, differ substantially across time. He identifies three stages related to the use of remittances. The first stage refers to family maintenance. Remittances contribute to improving the standard of living of the household, while securing its revenues in case of unexpected losses. The second stage is related to new patterns of expenditure adopted by the household and the migrant; conspicuous consumption has often been referred to as the direct negative consequence of remittances. Finally, the third stage pertains to the diversification of investments. Investments are no longer made for buying "unproductive" and conspicuous items, but are directed, for example, to the creation of small and medium-sized enterprises (SMEs).

Arnold's insights are useful to understand that remittances have a potential for development which varies across time, and that migrants' origin countries need to adopt the necessary macro-economic and institutional reforms aimed at maximising the use of remittances. Otherwise, the impact of remittances might be limited to the first and second stages described above.

As shown on the graph below, since the early 1980s, trends in remittances have grown almost steadily. This growth has been sustained by the repeated devaluation of the Dirham, as this happened in 1990 and 2001, the establishment of Moroccan banks in major receiving countries, banking reforms, the relaxation of exchange controls and the creation of current bank accounts in convertible Dirhams and Dinars. These provisions, together with the settlement of state-sponsored associations and *amicales* in the main receiving countries of their migrant communities (Brand 2003), were also aimed at maximising the inflows of remittances, despite the growing

sedentarisation of migrants in European receiving countries. In fact, as Sarah Collinson noticed, "[family reunification] suggested permanent settlement and thus a shift in migrants' orientation away from the country of origin; and it indicated an increase in the amount of migrants' earnings being spent in the receiving country (family consumption) and thus less being sent back in the form of remittances" (Collinson 1994, 73).

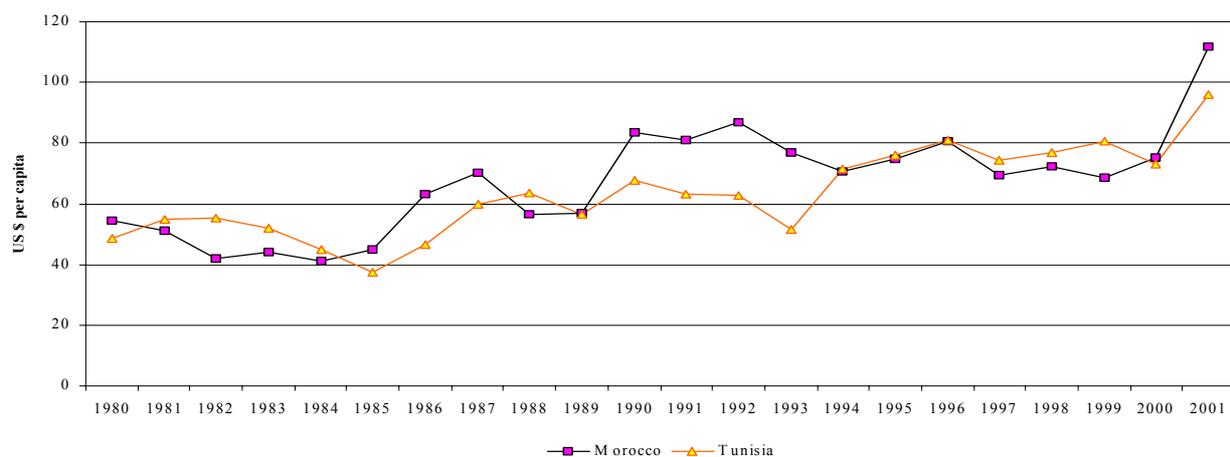
Growth in Remittances, 1980-2001



Source: The World Bank, Global Development Finance

To date, remittances still constitute valuable resources for Morocco and Tunisia. Per capita inflows of remittances have grown steadily in both countries, reaching 112US\$ in Morocco in 2001 and 96US\$ in Tunisia (see Graph below).

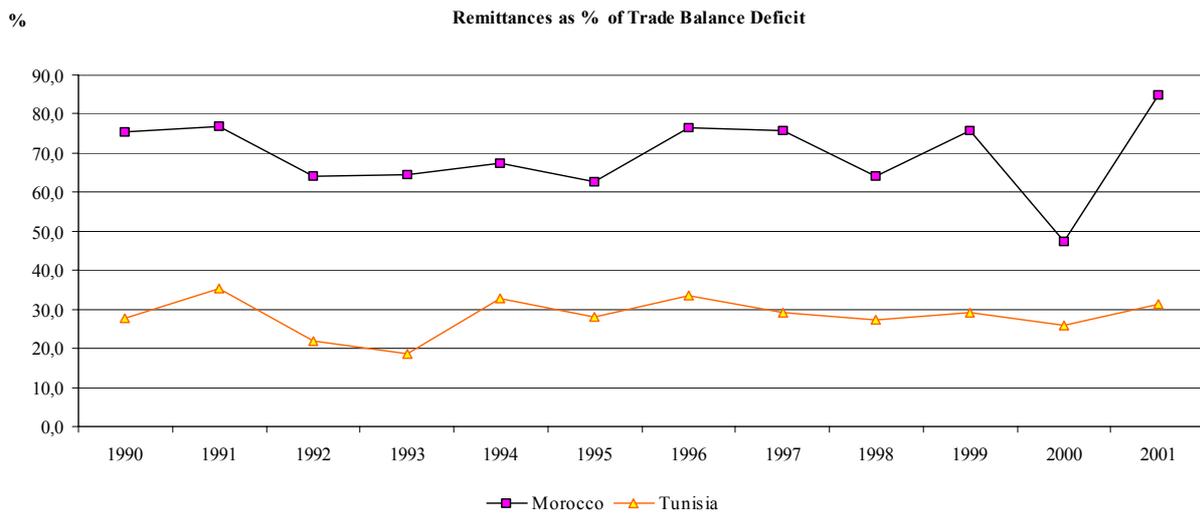
Per Capita Inflows of Remittances



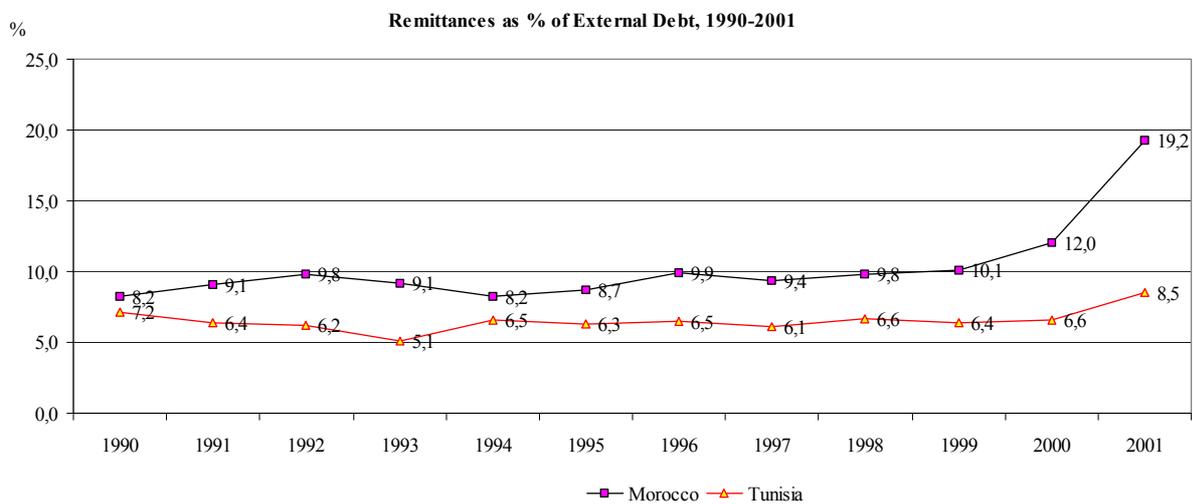
Source: The World Bank, Global Development Finance

It is striking to note the resilient dependence of these countries on the inflows of remittances, despite the tightening of immigration policies in European receiving countries and the consequential

settlement of their immigrant communities. This dependence turns out to be however much more important in the case of Morocco. Unlike Tunisia, Morocco depends heavily on the inflows of its migrants' remittances, not only because they allow the balance of trade deficit as well as the external debt deficit to be offset, but also because remittances continue to contribute to poverty alleviation in rural areas. As shown on the graphs below, remittances have traditionally had a stronger stabilising role in Morocco than in Tunisia.



Source: The World Bank, Global Development Finance



Source: The World Bank, Global Development Finance

The significant impact of remittances on the macro-economic balances in Morocco may have had a bearing on the ways in which the GoM has defined the modalities of participation of its migrants in the national development challenges. As explained in the subsequent section, these modalities differ substantially from those put forward by the GoT with regard to its migrants.

Redrawing the profile of the migrant

Much earlier than in Morocco, the drive to economic liberalisation has changed the GoT's perception of international migration. More exactly, the profile of the migrant has been gradually re-shaped by the new economic needs of Tunisia and by the various changes inherent in the Tunisian immigrant community, i.e., social mobility and the visible dynamics of immigrant entrepreneurship in major European receiving countries.

As early as the 1970s, Tunisian migrants were viewed as potential investors who, by law, could import duty-free the tools and equipment needed to develop their business activities in Tunisia, following a two-year experience of migration.⁹ It could be argued that since the 1970s open-door economic policies (i.e., *Infitah*) initiated under former President Habib Bourguiba, Tunisian migrants' business activities have contributed, to some extent, to the expansion of the Tunisian private sector. Following the implementation of its structural adjustment programme in 1986, and the change of power in 1987, the GoT started to re-mobilise its migrant communities in the development challenges of the country, by specifically granting temporary and permanent returnees additional benefits and tax exemption on the imports of goods and products.¹⁰ In the context of this study, we cannot dwell too much on the impact of these specific measures on the patterns of participation of Tunisian migrants and returnees in the domestic private sector (Cassarino 2000). It is however important to stress that initially, these measures were expected to offset the gradual decline in Tunisian immigrants' financial transfers, by legally allowing them to make significant in-kind transfers, e.g., duty-free imports of goods and vehicles, during their temporary or permanent return to Tunisia.

Following the strengthening of economic openness, and the adoption in 1993 of the New Investment Incentives Code (NIIC), the GoT set up a legal framework to support the creation of

⁹ Tunisian return migrants, "who lived for more than two years abroad, are entitled to import duty-free tools and equipment which will be used by them in the framework of their own craft, industrial and agricultural activities". *Journal Officiel de la République Tunisienne*, Law 74-101, Art. 33, (December 25th 1974): 2917.

¹⁰ See *Journal Officiel de la République Tunisienne*, Decree 95-197, dated January 23rd 1995, (February 10th 1995): 339-34. By law, temporary return migrants, who lived abroad for more than one year, are entitled to import goods duty-free up to a maximum value of 1,000 Tunisian Dinars (TD) *per capita* (Art. 1), and once a year [1 US\$ = 1TD]. While migrants, who declare to return permanently to Tunisia, and who resided for at least two years abroad, are entitled to import goods duty-free for a maximum value of TD 15,000 per household (Art. 2, Art. 7). Tax exemption is not renewable, and officially permanent return migrants may also import duty-free their vehicles under the fiscal regime *Fin de Changement de Résidence* (or FCR), as long as they refrain from selling their vehicles for three years (Art. 3). As a matter of fact, tax exemption is renewable each year in the case of temporary return, while it is not when return takes place permanently. The Tunisian law related to return migration does not mention any repressive measures against the aforementioned residential strategies. Article 7 of decree 95-197 just stipulates that permanent return migrants must promise not to benefit twice from tax exemption.

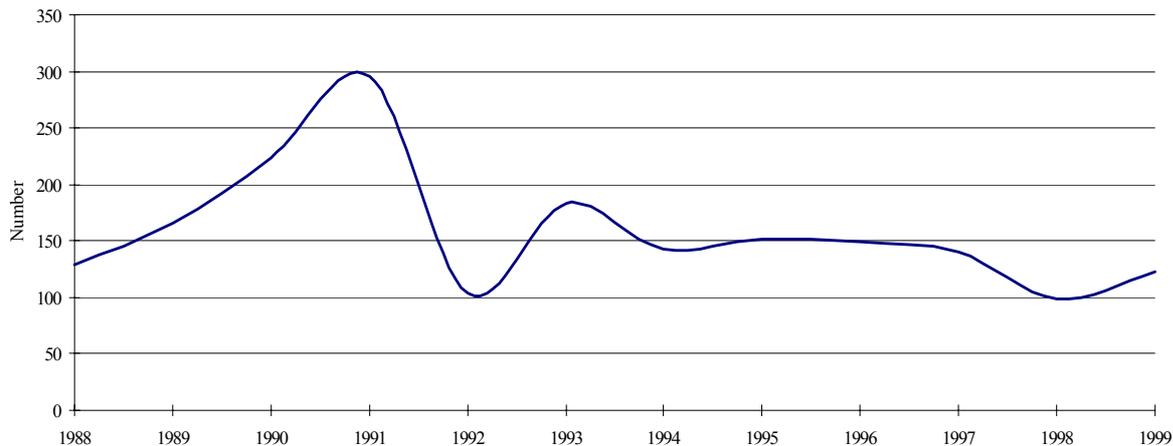
projects and incentives for investments made in Tunisia by either Tunisian migrants or foreign investors.

It is in a context marked by increased economic openness to domestic and foreign investments, gradual privatisation, and the promotion of export-led economic activities, that the GoT started to pay growing attention to the pool of human and financial resources of its migrants abroad. There are two reasons for this: first its desire to catch up with the changing characteristics inherent in immigrant communities, and, second, its attempt to channel private initiatives through its foreign-based ruling party offices and state-sponsored associations.

Various studies confirmed the fact that since the reinforcement of open-door economic policies and the adoption of tax exemption measures aimed at attracting foreign investments and at boosting exports, Tunisian migrants had the opportunity to set up job-creating business concerns in various sectors of industries.

A detailed analysis of the ways in which Tunisian migrant entrepreneurship has developed in Tunisia goes beyond the scope of this study. The point of this study lies in stressing that Tunisian migrant entrepreneurship has been taken into account by the GoT since the time in which domestic economic liberalization has taken place. Just like their Tunisian counterparts, Tunisian migrant entrepreneurs have been sensitive to the business-friendly policies that were already contained in the 1987 Industrial Investment Code (IIC). Among others, this code not only encouraged the promotion of export-oriented business concerns but also significantly facilitated, in the name of the “freedom to invest”, the delivery of the API license, necessary before setting up a business concern in Tunisia. Official data issued by the API, regarding Tunisian migrant entrepreneurs’ licensed firms in the manufacturing sector, show that the adoption of the 1987 IIC and the incentives contained in the 1993 NIIC had a significant impact on Tunisian migrant entrepreneurs’ will to participate in the expansion of the manufacturing sector, despite the fact that it was severely hit by the 1991 textile crisis.

Number of Licensed Firms Run by the TREs in the Manufacturing Industries, 1988-1999

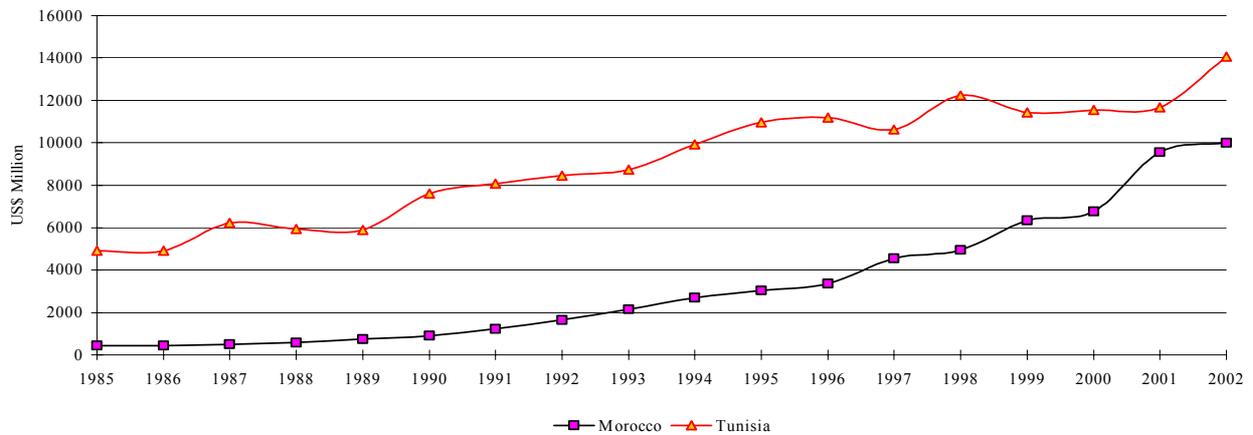


Source: API

As shown on the above graph, Tunisian migrant entrepreneurs' will to participate in the Tunisian manufacturing sector has never recovered from the 1991 textile crisis. This declining trend finds its roots not only in the low capacity of the Tunisian manufacturing sector to compete at an international level, but also in the resilience of structural hindrances which characterise the institutional environment of the overall Tunisian private sector. These hindrances pertain, among others, to the legal context of privatisation, the high interest rates of bank loans, and stifling bureaucracy (Cassarino 2000, 122). In other words, just like their local counterparts, Tunisian migrant entrepreneurs have been faced with the vicissitudes inherent in the expansion of the on-shore private sector.

As far as the off-shore private sector is concerned, field surveys have already demonstrated that Tunisian migrants have also taken part in off-shore private business concerns. Their expansion has been supported by the export-led growth strategy of the GoT as well as by the 1993 NIIC. There exist no official report which evaluates the actual contribution of Tunisian migrant entrepreneurs to the growth in foreign direct investments (FDIs) in Tunisia. It is not possible to quantify with accuracy their contribution when one refers to the growth in FDIs reported on the graph below. This said, there is no question that the participation of some Tunisian migrants in the management of off-shore business companies coincided with the desire of the GoT to attract FDIs to Tunisia. Admittedly, Tunisia's FDI flows remain primarily concentrated on the energy sector (Page & Underwood 1997, 103). However, the off-shore manufacturing sector (predominantly in the textile and mechanic industries) has also developed through business partnerships involving Tunisian migrant entrepreneurs and foreign investors.

FDI Inward Stocks, 1985-2002



Source: UNCTAD

The GoT's recognition of the potential for growth of its migrants is a direct consequence of the liberal reforms adopted since the late 1980s. This recognition culminated in the "Journée nationale des Tunisiens à l'étranger", which is now celebrated every year on August 7th, since 1995. The GoT's interest in mobilising its migrants "to support the development policies", as mentioned in the recent Tenth Economic Development Plan, does not exclusively lie in the recognition of their skills and capacity for productive investments, but also in its awareness that the credibility of the reforms was also dependent on the participation of its expatriates into its development agenda.

Unlike their Moroccan counterparts, and despite the resilience of structural and institutional hindrances characterising the expansion of the private sector, Tunisian migrants and returnees have been viewed very soon as potential actors of development and innovation in the export-led strategy of the GoT.

This vision stands in stark contrast with that of the GoM. Neither the Moroccan banking sector nor the public administration seem to have adopted the adequate policies aimed at attracting new kinds of investments on the part of Moroccan migrants other than those made in real estate. Moreover, although there seem to be some changes regarding the ways in which the GoM intends to promote the participation of its migrants in the development of the Kingdom, since (1) the appointment of a minister in charge of the Moroccan émigré community residing abroad¹¹, (2) the yearly celebration

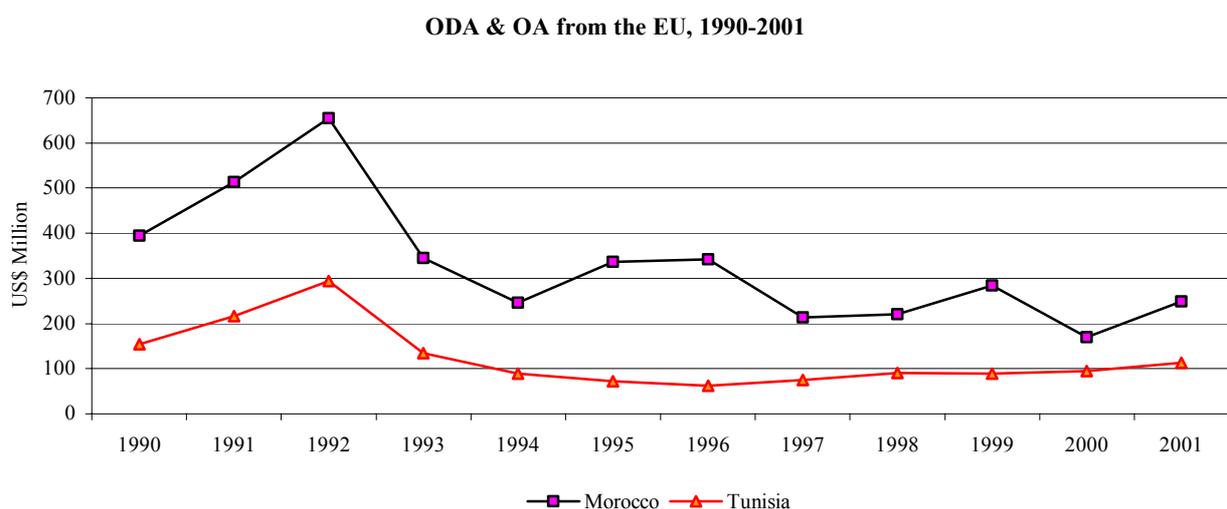
¹¹ Mrs. Nouzha Chekrouni was appointed Minister in charge of the Moroccan migrants residing abroad in December 2000.

of the “Journée nationale des MRE”¹², and (3) the establishment of regional investment centres (RICs)¹³ aimed, among others, at facilitating the investments of migrants in various regions of the Kingdom, many efforts remain to be performed to better integrate the migration economy into the development challenges of Morocco.

Beyond the clear discrepancies that characterise the ways in which the GoM and the GoT have respectively rewarded the financial and human capital of their migrants, whether these are returnees or not, both sending countries share a predominantly common interest in implementing the temporary labour migrant schemes contained in the global migration management agenda. For Morocco and Tunisia, the rationale of such schemes does not lie exclusively in tackling the resilient problem of brain drain and in strengthening their capacity to deal with the mobility of their nationals (Leichtman 2002), but also in developing new links of interdependence with their major economic partner and neighbour, i.e., the European Union (EU).

New Patterns of Interdependence

Faced with the decline in Official Development Assistance (ODA) earmarked for development originating from the EU, as shown on the graph below, as well as with the planned enlargement of the EU towards Central Eastern European Countries, Morocco and Tunisia have now a vested interest in capitalising on the introduction of temporary labour migrant schemes.



Source: UNCTAD

¹² Since August 10th 2003, the “Journée nationale des MRE” is celebrated each year following a decision of King Mohammed VI. This yearly event is expected to

¹³ Fourteen RICs were established over the Kingdom in 2002, as a result of King Mohammed VI’s decision to further the process of decentralisation of the national economy. These newly established RICs are also expected to assist Moroccan migrants wishing to set up SMEs in Morocco.

Their recent collaboration with the EU is based on a package of provisions aimed at managing migratory flows, through the introduction of temporary labour migrant schemes, and at combating illegal migration. Furthermore, the participation of Morocco in the consultative processes on migration management, particularly in the context of the 5+5 ministerial dialogue, constituted perhaps a way to contradict the controversial action plan on Morocco that had been produced in 1999 by the High-Level Working Group (HLWG) on migration. In fact, this action plan was submitted to propose actions to be taken with a view to preventing the causes of migratory flows from Morocco and to defining more constructive patterns of cooperation between the EU and the GoM in the field of migration management. In an attempt to account for the steady increase in migration flows from Morocco, the action plan identified five cumulative factors, one of which was related to Moroccan immigrants in Europe helping “family members or friends to migrate to Europe, including by illegal means” (Council of Europe 1999, 8). Moreover, the action plan denounced the weaknesses of the Moroccan public authorities in curbing illegal migration and migrant-trafficking: “Abetting illegal immigration and trafficking in human beings are criminal offences in Morocco. However, police interventions against traffickers are rarely effective and do not often give rise to court proceedings [...] Morocco has been very tentative in implementing the bilateral readmission agreements it has signed with some Member States and has, not only for economic but also for internal political reasons, been shy to respond to Member States’ offers of cooperation with a view to controlling migration flows and returns.” (Council of Europe 1999, 9).

Few years after the publication of the controversial action plan on Morocco, the need to integrate several issues related to migration in the cooperative relations between the EU and third countries was explicitly highlighted first at the June 2002 European Council in Seville, then later in a communication of the European Commission (December 2002). This European Commission proposed to integrate migration in the external relations of the EU with third countries. As stressed in the document, the approach is an *ad hoc* one, aimed at “encouraging those countries that accept new disciplines, but not at penalising those who are not willing or not capable to do so” (European Commission December 2002, 4). In other words, the EC approach seemed to adopt a softer position compared with that adopted few months earlier by most EU Member States’ Justice and Interior Ministers who denounced the fact that third countries were unwilling to fully cooperate with the EU in curbing illegal migration.¹⁴

¹⁴ “Member States’ Justice and Interior Ministers recently expressed their view that the main problem does not lie in strengthening the cooperation between Member States, but is rather attributable to the unwillingness of third countries to take back their nationals and to ensure sustainable return. They have, therefore, the clear expectation that the third countries concerned should be put under pressure to be more co-operative both by the Community and by the Member States” (Commission of the European Communities 14 October 2002, 9).

There is no question that the year 2002 was marked by intense and controversial debates, at the level of the EU, which stressed the need to adopt a “global development package” (European Commission December 2002, 5) aimed at encouraging third countries to participate actively in the management of international migration.

The above-mentioned 5+5 ministerial dialogues that took place in 2002 and 2003, respectively in Tunis and Rabat, allowed the GoM and the GoT to act on an equal basis with their European counterparts, at least officially, and to appear as credible players in migration talks; a factor that the HLWG on migration had virtually disregarded (Boswell 2003, 631). The adherence of the GoM and the GoT to temporary labour migrant schemes is not only reflective of their needs for enhanced credibility in managing migration, but also of their awareness that illegal migration issues have been placed at the centre of all the patterns of partnership with the EU, since the introduction of the so-called “overall integrated comprehensive and balanced approach” towards migration made at the European Council in Seville in June 2002, and that assistance to their development efforts will be gauged with their proven collaboration on this matter.

The conditional interrelationship between migration management and development assistance has found its full expression over the last few months, following the involvement of both Morocco and Tunisia in bilateral readmission agreements of illegal migrants signed with Spain and Italy.¹⁵ Moreover, in the field of illegal migration, Morocco adopted in 2003 clear-cut provisions aimed at dealing with the presence of foreigners and illegal migrants on its territory. These provisions included not only the enactment of law 02-03¹⁶, but also the creation of two institutions aimed at controlling borders, at fighting against migrant-trafficking and at defining a national strategy in the field of migration management.¹⁷

¹⁵ On January 7th 2004, a memorandum was signed between Spain and Morocco on the assisted repatriation of non accompanied minors. Tunisia and Italy signed as early as September 23rd 1999 readmission agreements of illegal migrants.

¹⁶ Law 02-03 was adopted by the Moroccan Parliament and published in the *Bulletin Officiel* on November 13th 2003. This law contains articles regarding the obtention of residence permits (Chapter 2), the duration of stay in the Kingdom, the mobility of the foreigner in the Kingdom (Chapter 7), the conditions under which a foreigner may be expelled from the national territory (Chapters 3, 4 & 5), the detention of illegal migrants in “waiting zones” (Chapter 6), sanctions against over-stayers and illegal migrants (Chapter 8) and against migrant-smugglers or any moral or physical involved in the illegal entry of migrants in the Kingdom (from art. 50 to art. 56). (See Belguendouz 2003, 81-112).

¹⁷ In fact, following a ministerial meeting presided over by King Mohammed VI on November 10th 2003, two institutions were created. Firstly, the *Direction de la migration et de la surveillance du territoire* mobilises the ministry of interior, as well as the national *gendarmerie*, the army and the marine. Secondly, the *observatoire de la migration*, whose major mission consists in elaborating a statistical database on migration flows, is expected to propose to the Moroccan public authorities concrete actions to be taken in the field of migration management. See *Maroc Hebdo International* n. 580, 14-20 November 2003, p. 8.

There is no question that both Morocco and Tunisia have succeeded in enhancing their international credibility in the management of migration. A concrete illustration of this lies in the unprecedented bilateral agreements on sea border controls that materialised in January 2004 between Tunisia and Italy, in the framework of the Neptune project¹⁸, and in December 2003 between Morocco and Spain.¹⁹

Similarly, as a result of a bilateral agreement on migrant-trafficking signed between Morocco and Spain on December 4th 2003, a substantial financial protocol, amounting to 390 million Euros, was signed in Marrakech between Spain and Morocco on December 9th 2003, with a view to supporting the delocalisation of Spanish firms to the Moroccan market in various sectors of industry.²⁰ In January 2004, Italy followed suit and rewarded the involvement of Tunisia in the fight against migrant-smuggling and illegal migration by sustaining Italian FDIs to Tunisia, for a global amount of 36,5 million Euros.

Importantly, the search for enhanced credibility cannot exclusively account for the participation of Morocco and Tunisia in the global migration management agenda. The terrorist outrages that severely hit Tunisia in April 2002, as well as Morocco in May 2003, may also constitute explanatory factors of the above-mentioned patterns of cooperation in the field of migration management. These have generated links of interdependence that cut across economic, political and security concerns.

The intertwining of the above-mentioned arguments sheds light on the extent to which the fight against illegal migration and financial aid have been conditionally interrelated in the Euro-Mediterranean integrated and balanced approach towards migration, over the last few years. At the

¹⁸ The Neptune project is a joint operation aimed at strengthening controls at the sea borders of the EU, in the Mediterranean. This project was introduced by Italian Interior Minister Giuseppe Pisanu under the 2003 Italian Presidency of the EU and was initiated on September 10th 2003. Since then, the Neptune project has been backed by Cyprus, France, Germany, Greece, Malta, the United Kingdom, The Netherlands, Spain and Europol. A joint centre of surveillance was established in Palermo with a view to preventing and acting quickly against illegal migration and human-trafficking in the Mediterranean (Council of the European Union 16 September 2003).

¹⁹ The agreement was signed on December 4th 2003 between Spain and Morocco. It is aimed at fighting against human-trafficking. A joint patrol, comprised of Moroccan *gendarmes* and Spanish *guardias civiles*, will be created in February 2004. Its first mission will be to control the sea border between the South Moroccan shores and the Canary Islands, over a six-month probationary period. Then, if the joint operation turns out to be successful, a similar joint patrol will be created in the straits of Gibraltar. See the Moroccan weekly *Maroc Hebdo International* n. 584, 12-18 December 2003, p. 6.

²⁰ This amount is undoubtedly the most important ever granted to Morocco from Spain. It is expected to stimulate Spanish foreign direct investments (FDIs) to Morocco and to turn Spain into Morocco's major investor. See *Maroc Hebdo International* n. 584, 12-18 December 2003, p. 6.

same time, there is no question that Morocco and Tunisia have been successful in strengthening their leverage on the EU Member States, while making their expectations, in terms of development assistance, more explicit. In fact, during the 15th symposium of the Tunisian ruling party, the *Rassemblement Constitutionnel Démocratique* (RCD), which took place in November 2003, President Zine El Abidine Ben Ali was keen to recall that the security concerns of the EU regarding migration flows should not conceal the fact that the latter are “the direct consequence of the economic changes with which Southern countries are being faced in their development process and in the context of their [economic] openness to the North.”²¹ In a similar vein, Nezha Chekrouni, Minister in charge of the Moroccan émigré community abroad, underlined that Morocco’s involvement in the fight against illegal migration is contingent on the “great responsibility of the EU to support [Morocco’s] development efforts.”²² More recently, on the occasion of the first Summit of the Heads of State and Government of the Western Mediterranean Basin (known as Dialogue 5+5), which was held in Tunis on December 5th-6th 2003, a common declaration was issued stressing the “the importance of seeing the European Union accompany its enlargement process [i.e. Wider Europe] by a parallel supportive effort towards countries of the southern bank of the Western Mediterranean [...]”²³

As a matter of fact, the GoM and the GoT are intent on consolidating their links of interdependence with the EU, by capitalising on their participation in the fight against illegal migration. Their participation has been based on expectations that have become explicit. The GoM and the GoT have been increasingly aware of the fact that their efforts to participate in the integrated approach to migration management would allow them not only to gain further credibility but also to exert leverage on the EU. The bilateral sea-borne operations undertaken against illegal migration would have been difficult if no conditionality had been previously defined in the framework of the New Neighbourhood Policy of the EU (Commission of the European Communities 11 March 2003).

Both the GoM and the GoT have a vested interest in becoming fully-fledged participants in the development of this policy. Not only because it is expected to propose new instruments of development assistance and investment (that remain to be better clarified), as well as new sources of finance, but also because it calls for a “common management of migration flows” (Commission of the European Communities, 11 March 2003, 14) that should be conducive to stronger interdependence.

²¹ *Réalités*, “15^{ème} Symposium international du RCD: Vers une solidarité euro-méditerranéenne”, n. 6 November 2003.

²² *Maroc Hebdo International*, “Nous en appelons à l’Europe”, n. 582, 28 Nov.-4 Dec. 2003, p. 11.

²³ The text of the Declaration of Tunis is accessible at <http://www.5plus5.tn>

The case studies of Morocco and Tunisia are useful to understand that so far, the problem of illegal migration has received much more attention than the genuine promotion of a multilateral regime aimed at managing migration. The orderly management of migration has so far focused on curbing illegal migration and on testing the willingness of Morocco and Tunisia to tackle this problem. The participation of both North African countries in the joint sea-borne operations is not only illustrative of their awareness of the intolerable human tragedy that occurs periodically in the straits of Gibraltar and Sicily, but also of their expectations that their cooperation will be conducive to some sort of compensation or preferential treatment, in terms of enhanced development assistance and migrant quota systems, on the part of their European partners/neighbours. It is too early to argue whether these expectations will be met or not. However, there is no question that the expectations of both the GoM and the GoT are high, and that they intend to be preferentially treated when temporary labour migrant schemes are to be fully implemented.

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