



## **CARIM EAST – CONSORTIUM FOR APPLIED RESEARCH ON INTERNATIONAL MIGRATION**

Co-financed by the European Union

# ***Emigration Policies in Contemporary Europe***

**Agnieszka Weinar**

CARIM-East Research Report 2014/01



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**CARIM-East**  
**Creating an Observatory of Migration East of Europe**

**Research Report**  
**CARIM-East RR 2014/01**

**Emigration policies in contemporary Europe**

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## **CARIM-East – Creating an Observatory East of Europe**

This project which is co-financed by the European Union is the first migration observatory focused on the Eastern Neighbourhood of the European Union and covers all countries of the Eastern Partnership initiative (Belarus, Ukraine, the Republic of Moldova, Georgia, Armenia and Azerbaijan) and Russian Federation.

The project's two main themes are:

- (1) migration from the region to the European Union (EU) focusing in particular on countries of emigration and transit on the EU's eastern border; and
- (2) intraregional migration in the post-Soviet space.

The project started on 1 April 2011 as a joint initiative of the European University Institute (EUI), Florence, Italy (the lead institution), and the Centre of Migration Research (CMR) at the University of Warsaw, Poland (the partner institution).

CARIM researchers undertake comprehensive and policy-oriented analyses of very diverse aspects of human mobility and related labour market developments east of the EU and discuss their likely impacts on the fast evolving socio-economic fabric of the six Eastern Partners and Russia, as well as that of the European Union.

In particular, CARIM-East:

- builds a broad network of national experts from the region representing all principal disciplines focused on human migration, labour mobility and national development issues (e.g. demography, law, economics, sociology, political science).
- develops a comprehensive database to monitor migration stocks and flows in the region, relevant legislative developments and national policy initiatives;
- undertakes, jointly with researchers from the region, systematic and *ad hoc* studies of emerging migration issues at regional and national levels.
- provides opportunities for scholars from the region to participate in workshops organized by the EUI and CMR, including academic exchange opportunities for PhD candidates;
- provides forums for national and international experts to interact with policymakers and other stakeholders in the countries concerned.

Results of the above activities are made available for public consultation through the website of the project: <http://www.carim-east.eu/>

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## 1. Introduction

Migration studies traditionally focus on two ideal types: countries of origin and destination. But immigration and emigration are two sides of the same coin. All the States in the world are both immigration and emigration countries. However, it is striking how they choose to be defined in a specific way, and why they prefer to build policies in accordance with that chosen image. European Union member states seem to fall into this self-image trap as well. However the sheer numbers cast some doubt on the choice of “countries of destination” discourse. With net migration of 1.7‰ (compared e.g. with Canada of 5.6‰) the European Union is also an area of emigration.

EU migration governance has so far neglected emigration, focusing solely on immigration management. Accessions in 2004 and 2007 of predominantly emigration countries exacerbated EU emigration dilemma, but they did not change the overall EU policy course. On the contrary, countries like Poland started paying even less attention to their emigrants (c. 4% of the population) and focused instead on its immigrants (less than 0.2%). Prioritizing immigration policies targeting scarce migration population has been the palpable effect of Europeanization (Weinar 2006). However, the EU-15 has not been emigration-free either: UK, Germany and France are at the top of European source countries in the US, Australia and Canada (see Tab. 1).

**Tab. 1 Permanent and temporary migration to the USA, Australia and Canada from the EU, in 2011.**

	<b>USA</b>	<b>Australia</b>	<b>Canada</b>
<i>Germany</i>	26,526	3,092	10,917
<i>France</i>	17,404	2,741	26,712
<i>UK</i>	26,014	34,830	18,294
<b>EU-27</b>	<b>130,688</b>	<b>56,596</b>	<b>81,067</b>

Source: Author’s own calculations based on ESSQR June 2012 and Canada Facts and Figures 2011. The reported figures do not capture flows of EU visitors for fewer than 90 days who do not need a visa, but who may work illegally at destination, nor does it capture dual nationals.

The crisis of 2008, and subsequent (if relatively modest) rise in outflows from Southern European countries and Ireland, put emigration on the front pages of newspapers. However, it has failed to revive interest in building an EU response to emigration. Clearly, emigration is hardly an EU-level affair. It has not been mentioned in the Treaties, it is absent from EU legislation and even policy work. EU debates emigration and diaspora only in the context of development aid for third countries (Weinar 2011). Regardless this clear agenda towards partner countries, migration and the development agenda has not made it to the forefront of the EU’s internal strategy and the EU’s comprehensive migration policy is silent on outflows from the EU. And yet, it is important for the EU Member States to be more proactive on emigration and diaspora policies in the context of the economic crisis while the future economic development of the Union. Emigration is an important phenomenon for various reasons: it influences demographics of the continent, as the mostly young leave or circulate while it may be the retired who return; it impacts its socio-economic development – negatively through brain drain, but also positively through brain gain and capital flows; and it is also a way for the EU to become a global player through its mobile citizens.

The lack of policy interest in emigration (or rather its development in the shadow of immigration policies) results in a clearly one-sided notion of European migration governance, which focuses entirely on immigration. I believe such a view to be too narrow and responsible for limiting research options. After all, emigration from the EU brings about interesting questions: how much of the EU is there outside of the EU? Does emigration enhance the European identity? On another note, emigration can plausibly influence the size and quality of immigration, but the interplay between the two is understudied in Europe.

It is not only important to study emigration – it is also important to study it for the various levels of European governance. It is true that migration policies have been traditionally a domain of the nation State, but the experience of immigration policy in the EU has shown that interconnected states have to cooperate and align their policies in this field to assure a proper functioning of the common market. The Member States clearly gained from exchanging policy experience and best practice. Therefore, immigration has become a matter for EU-level politics and policies. Logically, emigration policies should share this fate, as they belong to the migration continuum. Most importantly, there is a clear indication of the EU-level relevance of emigration. After all, the Treaties clearly establish a notion of EU citizenship outside the EU: as regards consular protection and voting rights (EU elections). The latter has been the subject of ongoing political struggles to give all EU nationals an equal chance to vote outside the EU, as not all Member States allow extra-territorial voting. The issue of the equality of EU nationals outside the EU can be further explored. Is there legal scope, for example, to extend the rights negotiated by one Member State for its citizens in a third country to all EU nationals?

The aim of the paper is straightforward. I would like to prioritise the missing side of European migration governance, that is its approach to emigration and diaspora. In order to fill the research gap and to start building a coherent knowledge base on emigration and diaspora policies in the EU, I propose the mapping of the national responses to emigration over the last four years (mostly overlapping with the economic crisis and post-accession mobility). In this context there are two main questions that I will attempt to tackle:

- First, what do we know about emigration from the EU – who migrates and to where?
- Second, what are the main categories of response of the EU Member States to emigration? In other words, how can we categorize the existing European emigration and diaspora policies?

The paper is constructed as follows. First, I introduce the debate on emigration and diaspora policies and highlight its relevance for the EU Member States. Second, I present empirical analysis (mapping) based on 28 country reports on emigration and diaspora policies in the EU Member States in the economic crisis (2010-2012). I will attempt to differentiate here between the policies addressing intra-EU emigration and those focusing on extra-EU flows in case I find a difference between the two. Third, I offer preliminary conclusions and debate possible further research directions. Throughout the paper I look mostly at extra-EU emigration and mobility (as opposed to intra-EU mobility), though these two categories are not necessarily separated out in the policies.

The paper is based on commissioned reports written by 28 EU country correspondents provided in the framework of the project Carim East. Originally these reports were commissioned to provide an overview of emigration and diaspora policies in the EU member States and they were to be shared with the Eastern Partnership partners. The reports answered a few straightforward questions about the character of emigration flows and relevant policies in place (for the full list of reports see references). In addition I also include here the results of the field work I did in Canada in the summer of 2013, during which I conducted eight expert interviews in Ottawa and Montreal.

## **2. What are emigration and diaspora policies?**

### **2.1 Emigration policy**

Since the end of the WWII, Western liberal democracies have developed immigration policies, focusing on regulating of the entry. This was in a clear contrast to the long-standing historical tradition: regulation of exit was the first migration policy in the history, practiced over centuries in all the states that were developed enough to assure administrative control of its subjects (Torpey 2003, Mau *et al.* 2012). In 1928 the general sense was that:

...emigration is in fact a question of internal legislation of various states... The Law of Nations does not guarantee and cannot guarantee the right to emigration for each individual, even if it is

often stated that emigration from one's country is a natural right of each individual (Lord McNair, in Oppenheim's *International Law*, quoted by Dowty 1989: 82).

Thus the building block of international law as we know it today, assuming the right of everybody to leave his/her country, is a new concept. Historically, the state answer to mobility of citizens was based on a perception of an individual as a capital belonging to a given socio-political and socio-economic system. An individual was the basic element of the systems of production, of taxation, and of culture. This vision lay behind, for example, the indenture policies binding peasants to the land. Emigration was seen as a loss, especially in situations when a state (or another administrative unit) needed more of human capital, e.g. during wars or industrialisation period (Zolberg 1989). In Europe, for centuries then, outward mobility of vast parts of the population was restricted. The law was, of course, related to the availability of people: the population boom of 1800s in Europe relaxed outward mobility policies but did not bring them to an end. On the contrary, they became more sophisticated and even if mobility was easier, it was still regulated, especially in the late period of colonialism and transatlantic migrations (Mau et al. 2012).

The change came after the shock of the two World Wars and related massive population movements. But only with the appearance of a totalitarian block of communist states which restricted the outflow of citizens did the right to leave one's country become a fundamental human right. At the international level it became a politicized measure that has been used to indicate the level of liberalism and democracy in a given state.<sup>1</sup> This view had an important consequence on the policies and scholarship of emigration in the Western tradition: if a liberal democracy could no longer regulate or control outflow, emigration lost its allure and was not a focus for scholarship. Diminishing numbers only strengthened this trend. Therefore, the issue of emigration from Northern European countries has rarely been discussed by Western scholars, while emigration from Southern European countries has been analyzed more but this stream of literature weakened over time substantially, even if the outflows continued (cfr. Russell 1986, Weiner 1995).

On the world stage emigration policy studies developed over the years in two main directions: 1) criticism of emigration policy seen as a prerogative of a totalitarian state; and 2) emigration policy seen as an economic policy of developing states. In both cases the concepts of "brain drain" and "human capital" seemed to be crucial.

The first field of scholarly investigation presents a wide range of historiographic analysis. Dowty (1989) in his seminal *Closed Borders* analyzed systematically two processes used by totalitarian states to regulate the flows of its own citizens: restrictions of exit and forced emigration. Analysis seems to prove that egalitarian regimes (or systems) tend to restrict exit more than right-wing regimes.<sup>2</sup> Left-wing regimes (e.g. communist regimes) saw emigration as a betrayal of ideology, escape from a common project realized by a community and an individualistic choice. Moreover, the arguments used were generally economic: in the communist era the authorities argued that they did not want people educated at the expense of the society (community) to profit other countries and societies. The promoted image of emigration as a dangerous and painful experience only added arguments for a strict control on exits. Interestingly enough, in European communist states emigration was banned only in Albania and Romania (until 1989). However, in other countries exit control was implemented bureaucratically, for example, through difficult passport procedures (Stola 1989).

Right-wing regimes, which did not underline the primacy of the community, focused more on forced emigration. For example, the Fascist regime in Italy even encouraged emigration of educated citizens as good for the image of the country (the emigration of other groups was not seen as positively) (Oblath 1931). Hitler's Germany forced unwanted minorities to leave and did not consider

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<sup>1</sup> Conveniently enough, there is no matching right to enter another country freely, distorting mobility rights around the globe.

<sup>2</sup> The ideology of community still transcends emigration and diaspora policy choices in countries with a strong welfare state ideology like Netherlands and Denmark (see section 3.3)



the emigration of ethnic Germans to be an issue (Dowty 1989). Forced emigration was usually achieved through indirect actions (administrative difficulties, limits to rights) and when it did not succeed then states resorted to deportations (Kłoczowski *et al.* 2000).

Sometimes emigration could be used to achieve other political or economic aims. For example, in 1975 communist Poland agreed to facilitate the emigration of ethnic Germans in exchange for financial help and for the re-establishment of normal relations with West Germany (Matelski 1999). The use of emigration in foreign policy has recently been analyzed by Greenhill (Greenhill 2011). In her studies on international conflicts she enumerated fifteen cases of “refugee blackmailing” used by weaker states towards the Western liberal democracies. The blackmailing usually aims at getting specific requests met (e.g. economic help, as between the US and Haiti in the 1994) and uses the syndrome of “*hypocrisy cost*” – i.e. the fear of the potential receiving countries of massive inflows of refugees, seen as people that cannot be returned.

The second view on emigration policy has been developed in the area of development studies and focuses on the impact of brain-drain on development prospects of low-income countries. In the 1960s and 1970s the Marxist-based theories treated brain-drain in the context of the centre-periphery debate (Adams and Rieben 1968). Scholars explained the phenomenon either through push factors (Glaser 1978), which include failed socio-economic development, or pull factors (Bhagwati 1984) which include “migration opportunity”. Adams and Rieben (1968) defined two main approaches to brain drain: cosmopolitan and nationalist. The first subscribes to the globalisation theories and center-periphery divide. The “nationalist” view, anchored in Marxist tradition, perceives human capital as a limited resource. The emigration of educated individuals lowers this capital and puts at risk the future socio-economic development of the country. In the cosmopolitan view, human capital flows in this perspective are seen as something positive, giving more push to world production systems:

An Indian statistician with a PhD working as a professor at an American university will contribute more to the global production than if he were to stay in his home country as a lower-rank state official; thus there is no profit in putting obstacles to migration of specialists.  
(Adams/Rieben 1968: 7).

These debates ushered in two different policy approaches to emigration. The first one, represented by highly-developed countries, focused on the development of the countries of origin to prevent brain drain through the attenuation of push factors; and second, represented by developing countries, which put the responsibility for emigration and thus the failure to develop on pull factors, including brain-gain policies (Zahlan 1981). According to this approach emigration policy seems to be more about the encouragement of stay and return (retention policies) rather than controlling outflows in a strict sense.

Interestingly scholars from highly-developed countries did not focus at all on the same questions in relation to their own societies. Rather, they engaged in the debate in the context of low-income countries. In this way emigration policy became a thing for less fortunate states and started being associated with social, political and economic failure. At the opposite end, immigration policy has become the prerogative of wealthy and successful states.

However, emigration policy has not been restricted to totalitarian regimes and low-income countries. As showed in the literature, middle-income countries, on a different level of development, have also been influenced the flows of their citizens. A state can play out its interests through emigration (Heisler 1985). Emigration policy understood in this way has two main elements: bilateral agreements on mobility of workers and diaspora engagement strategies. Bilateral agreements on contractual work have become quite popular in the contemporary world (Agunias 2006). Through them a country can ease any tensions on the domestic labour market. The temporary migration of workers is seen as a way of increasing human capital on their return (such approaches are quite commonly defined in the policies of Central European states). Moreover, the taxes on their wages contribute to the wealth of the sending country.

## 2.2. Diaspora policy

Diaspora policy is another area of state action towards a country's own emigrants. The definition seems nowadays quite obvious, although when discussing the issue one has to be aware of the perpetual problems with defining "diaspora" (Cohen 1996, Schnapper and Davis 1999, Tololyan 1996).

Why would a state engage in diaspora policies? Scholars gave basically two answers to this question. First, from a more political science point of view, a strongly linked diaspora can be used by the country of origin to influence the institutions of the country of destination. Good relations with a country's own diaspora can bring measurable political results: e.g. the influence of national ethnic groups on the US Congress (Gendt and Garcia 1977, King 2000, Miller and Martin 1982). The strong cultural and political identification of emigrant communities can thus bear palpable fruit as regards the survival (or otherwise) of a current political system at home.

However, a more important issue today is diaspora engagement for development. The policy mantra has been reshaped by academics who have studied the linkages between various policy initiatives in various perspectives (de Haas 2005, van hear, Pieke and Vertovec 2004). The benefits of keeping links with emigrants and their descendants has been appraised as a way of keeping access to a broader human capital pool (Agunias and Newland 2007), additional foreign income in the form of remittances (Ratha 2005) and possible investments (Delano 2009). Sadly, all analysis to date has focused on diaspora policies and development agenda for developing countries.

Alan Gamlen (Gamlen 2006, Gamlen 2008) has been one of the very few scholars who has attempted to categorize contemporary approaches to emigrant communities, including OECD countries. He distinguishes two "diaspora mechanisms": the first aiming at diaspora (community) building and the second preoccupied with binding emigrants to the home country with the net of rights and obligations. In the first case the policies would include extraterritorial citizenship, dual citizenship and extended cultural rights for emigrants and their descendants. This policy has a more ideational dimension to it. In the second case emigrants are offered a wide range of socio-economic rights but also obligations (e.g. special tax laws, property laws, voting rights etc.). However, we increasingly see that some states choose yet another form of policy: support for integration in the receiving country. This is particularly true for the countries of the European Union (hence the concept of European citizenship and a wide range of associated mobility rights) but also other wealthier OECD states, where citizens emigrate to countries of similar economic standing. Interestingly enough these mechanisms have been not fully studied and have not been clearly conceptualized as diaspora policies.

## 2.3. What about a definition of emigration and diaspora policies?

The literature to date has thus been quite confused on the definition of emigration and diaspora policies. While it seems obvious what immigration policy is, emigration policy represents an enigma today. Even if the scholars agree to a broad understanding for diaspora policies in the context of migration and development, they are less convinced about the exact meaning of emigration policies. Indeed, they often confound them with the now old view of exit controls. So how should we define the two policies in the specific context of the liberal developed states? Scholars approaching this question are faced with historical accounts of mobility control or contemporary migration and development discourse, neither fitting the reality of the states they want to study very well (cfr. Weiner 1995).

I define **emigration policies** as all policies that facilitate or curb mobility (outward and return) across international borders: e.g. agreements on seasonal work or permanent recruitment, return policies, retention schemes, portability of rights and exit restrictions. By **diaspora policies** I mean not only traditional **diaspora building policies**, which establish a link with the individuals and communities abroad (i.e. cultural and educational outreach), I also refer to **diaspora engagement policies**. Diaspora engagement policies, of course, provide emigrants and diaspora members with a set of rights and obligations through citizenship policies, such as voting rights, giving them tools for

better socio-economic integration in the country of origin or destination (such as taxation schemes, portability of rights and recognition of qualifications).

Considering that economic and political interest shape emigration policy development today, I will look at the main elements of the modern form of emigration and diaspora policies that are present in all 28 EU member states. These are *inter alia*: the facilitation of cross-border legal mobility and legal employment of own citizens; measures curbing brain drain, e.g. retention schemes; arrangements curbing brain waste, e.g. recognition of qualifications; return policy/brain gain policies; support for financial gains, e.g. targeted fiscal policy, portability of social rights; and cultural policies (active promotion of national and cultural identity of home country among migrants and ethnic communities abroad).

### 3. Outward migration and mobility in the EU

In this section I will present the results of the inquiry into the characteristics of emigration from 28 EU Member States.

The questions we asked in the reports for this section were:

***- What are the main countries of destination for permanent and temporary emigrants (top 5 in 2011, or if the data is available - 2012). Give only the list of countries and respective numbers. Explain shortly if there is any problem with the data.***

***- Where possible, provide references to recent academic or non-academic publications on emigration from your country (up to 10).***

There is a clear research gap on emigration in the EU. Since 2006, only nine Member States have invested in research on the topic. These include usual suspects as Poland and Latvia, but also: UK (Finch *et al.* 2010) and the Netherlands. Unfortunately the studies tend to have a very narrow scope: they focus on the migration of highly-skilled professionals, researchers, and youth. The thematic choice (followed by targeted funding) brings to light the policy interests of the EU governments reflecting “nationalist” perspectives, such as are usually assumed by developing countries. They do not necessarily give a full picture of emigration and/or mobility (on all skill levels).

The eternal problem of measuring emigration in the EU (as elsewhere) is twofold. First, it is rather impossible to accurately measure emigration flows at source, thus national data are rarely reliable in this regard. For example, it seems that in the EU only the Netherlands has an efficient administrative way of making its nationals de-register when they leave the country. In all other cases de-registration, although required, is not enforced, and the absence of a national can be spotted by chance and then introduced into the registry (as happens, for instance, in Belgium). In the countries with substantial emigration flows, like Poland, de-registration is not required. The insistence on de-registration seems to be linked to the country’s attitude towards emigrants: in the countries experiencing high levels of emigration such as Greece, Ireland, Portugal or Poland there is the fact of being registered in the home country, instead. The actual numbers of emigrants are estimated through the Labour Force Surveys, instead.

Measurement at destination are more reliable. However in the case of vast majority of EU nationals the flows under three months can be also difficult to capture as they are pretty much exempt from visa obligation in many countries of the world. Moreover, mobile EU nationals who go towards other OECD countries can also be dual nationals (or foreign born), impossible to capture at destination (although the numbers might be small).

Many national statistical offices use national definitions of emigrants and gather information about stocks instead. In this way the comparability of the information among 28 Member States on emigration is rather difficult, as the concepts of “national” differ according to the relevant traditions and citizenship laws. Consider Poland, where being Polish abroad is defined according to nationality at birth (transferable up to four generations); and the Netherlands, where last year proposals to take away the nationality from first generation emigrants, if they stay abroad for too long, led to an outcry. In some countries the consular registries are used as a proxy of stocks (e.g. France). Moreover, the Eurostat data on emigration are scarce and patchy as many Member States simply do not communicate them. In addition, flows and even stock of EU nationals moving/staying in another EU Member State are also almost impossible to measure, as intra-EU mobility does not require strict administrative procedures: and even when it does these procedures are not necessarily fulfilled. The proxies used by scholars produce different results (see e.g. Table 4 below). In this paper I do not attempt to tackle these problems as they would need extensive quantitative work. Moreover, many of the problems of measurement are contained through OECD cooperation on migration data between sending and receiving countries.<sup>3</sup> I present the nationally-defined emigration destinations, while being aware that they are not comparable.

The European Union is a very special case of regional economic integration which enhances the mobility of people well beyond the flows of migrant workers. As there are not so many obstacles to these flows, most EU nationals migrate to another EU Member State. Among the five main destinations for EU migrants, EU destinations are predominant, but non-EU destinations are firmly present in the first five top destinations in the case of 25 out of 28 Member States.

**Tab. 2 Five top destinations for emigration from the EU Member States  
(national sources, 2012, stock data)**

<i>AT</i>	<i>BE</i>	<i>BG</i>	<i>CY</i>	<i>CZ</i>	<i>DE</i>	<i>DK</i>
EU, Serbia, Turkey	EU, USA	Turkey, USA, EU	EU, USA, Canada, Emirates	EU	EU, USA, Switzerland	EU, USA, Norway
<i>EE</i>	<i>EL</i>	<i>ES</i>	<i>FI</i>	<i>FR</i>	<i>HR</i>	<i>HU</i>
EU, Russia	EU, USA, Canada, Australia (Turkey, Russia, Arab Emirates)	EU, Argentina, Venezuela, Ecuador, US	EU, USA	EU, USA, Canada	EU, US, BiH, Serbia, Montenegro	EU, USA, Canada
<i>IR</i>	<i>IT</i>	<i>LT</i>	<i>LU</i>	<i>LV</i>	<i>MT</i>	<i>NL</i>
UK, Canada, Australia, USA, New Zealand	EU, Argentina, Brazil	EU, USA	EU	EU, USA, Russia	EU, UK, Canada, Australia, USA, New Zealand	EU, Canada, Australia, USA, New Zealand
<i>PL</i>	<i>PT</i>	<i>RO</i>	<i>SI</i>	<i>SK</i>	<i>SE</i>	<i>UK</i>
EU, USA	EU, Angola	EU, USA, Canada	EU, AU, USA	EU	EU, USA	EU, USA; Australia, Canada

Source: EU country reports

<sup>3</sup> <http://www.oecd.org/els/mig/keystat.htm>

The quantitative information is taken from different sources in different countries, making comparison impossible. Below I present two cases of different measurement approaches.

**Tab. 3 Emigration from Germany, 2012**

<b>Germany</b> (Federal Statistical Office, Wiesbaden, population register)	
<b>Top 5 destinations in 2012 of all emigrants (711 992):</b>	<b>Top 5 destinations in 2012 of German nationals (133 233):</b>
Poland (114 425)	Switzerland (20 826)
Romania (71 152)	USA (12 803)
Bulgaria (33 741)	Austria (11 022)
Turkey (32 788)	UK (7 802)
USA (29 543)	France (6 245)

**Tab. 4 Emigration from France, 2012**

<b>France</b>		
<b>Top 5 non-EU countries</b>	<b>Number of French citizens registered abroad in 2012</b>	<b>MFE (Maison des Français de l'Étranger) estimate for 2012</b>
United States	125 171	200.000
Canada	78 647	150 000
Israel	72 548	<i>no data available</i>
Morocco	45 269	<i>no data available</i>
China	30 787	<i>no data available</i>
<b>Top 5 countries in general</b>		
Switzerland	158 862	160 000
United Kingdom	126 049	250 000
United States	125 171	200 000
Belgium	113 563	163 000
Germany	110 881	190 000

Regardless of its shortcomings, the above table gives some interesting insights concerning not only the destinations but also the categories of migrants. There are basically four categories of emigrants from the EU (permanent and temporary) captured in the current statistics of the Member States.

The first category are **Member State nationals with no immigrant background**. For them the statistics show a high return rate (especially for the UK, France and Denmark) and more propensity to circulate and to be mobile. Settlement/long-term migration outside of the EU is less popular among this group. This is the group that comes immediately to one's mind when speaking about emigration from the EU. But in fact, it is not the main source of outflows.

The second category are **EU nationals with an immigrant background**. This group is extremely difficult to capture in administrative statistics both at origin (for the reasons enumerated above) and destination: these people can be holders of dual citizenship and thus their mobility is not counted, or they are just registered as EU nationals. The phenomenon of the emigration of EU nationals of immigrant origin both to their ancestral countries and to other OECD countries (e.g. highly-skilled French-Algerians to Canada) has not yet been studied in-depth. However this particular group seems to be a very interesting case for understanding the interplay between EU emigration and immigration

policies. The perceived failure of integration policies in the EU seems to be an important driver of this emigration (see e.g. Balci and Michielsen 2013 on Turkish-Belgian youth return migration to Turkey).

The third group of emigrants are **non-EU nationals**. They constitute a very high percentage among emigrants from EU-15. In the case of Austria it is around 70% of the outflow; Denmark, Germany – 80%; Spain, France, and the Netherlands – ca. 65%. It is difficult to assess how many of them are actually temporary migrants, whose residence permit expired and how many are long-term residents. However, as can be deduced from the Table 2 and 3, most of these outflows are return migration flows. It must be noted here that some Member States (notably Denmark) have introduced return/emigration incentives for the communes hosting big numbers of long-term residents, thus enhancing outflows of this group of migrants.

The fourth group are **EU nationals of national minorities**. This is a very special case of emigrants originating mainly from the EU-13. There are two categories of migrants in this group. The first category are those who are actively encouraged to emigrate, as this is the case with Russian-speaking minorities in the Baltic states, and especially Estonia. The socio-political situation of this group is quite difficult (e.g. problems with citizen rights, fragile legal status and, linked to this, failed socio-economic integration). The same patterns can be seen now in Croatia with its Serbian minority. The second category are those members of minorities, who emigrate for better economic opportunities abroad (and in addition can experience discrimination in the home country). This is the case with Bulgarian Turks and Greek Turkish minority choosing emigration to Turkey, but also to Russian-speaking minority in Latvia emigrating to Russia.

The studies of emigration flows from the EU rarely distinguish between these four categories. Actually, in the common perception the concept of an EU emigrant seems to be limited to the first category. However, in the past 10 years, diaspora and emigration policies of some Member States developed taking into account the second category of emigrants as well.

#### 4. Emigration and diaspora policies in contemporary European Union.

The questions we asked in the reports for this section were

- Is there a state emigration policy? (e.g. bilateral agreements to send workers abroad). What institution is responsible for it?
- Is there a state diaspora policy? (e.g. focusing on return migration, on circular return migration, on keeping economic links). What institution is responsible for it?
- Is multiple citizenship allowed or tolerated?
- Are there bilateral agreements on double taxation and portability of social rights?
- Are there national language schools in the top 5 countries of destination?
- What are the prevailing discourses on emigration? Is it an issue on political agenda?

Regardless of the mainstream rhetoric, all EU Member States have some sort of a strategy towards emigrants, be emigration temporary or permanent. The policies are determined by the history of emigration, the characteristics of contemporary outflows and by self-image as a country of immigration or emigration. Many EU Member states have active strategies on emigration, and several updated their policies in the last couple of years.

**Tab. 5 Overview of existing institutions, laws and strategies addressing emigration in the EU.**

AT	BE	BG	CY	HR	CZ	DE
No (MFA services)	no	yes, post-1989 the Law for Bulgarians and the Bulgarian communities abroad; the State Agency for the Bulgarians Abroad	no	2011 the Strategy for the relations between the Republic of Croatia and the Croats outside the Republic of Croatia	1990, the Strategy to enhance relations with Czech compatriots abroad	yes, 1979 German Emigrant Protection Act (amended 2012)
DK	EE	EL	ES	FI	FR	HU
no	2009 diaspora engagement strategy	no data	yes, Ley 40/2006, del Estatuto de la ciudadanía española en el exterior	Programme for Expatriate Finns 2006.	since early 20th century; Maison des Français de l'Étranger	No (only minorities)
IR	IT	LT	LU	LV	MT	NL
Since 2002 <i>ad-hoc</i> economic engagement strategies and return policies	since 1950s, at state and regional level	2007 Strategy on Emigration; Global Lithuania programme	no	yes, since 1990s; the Ambassador-at-Large for diaspora MFA; 2011 Image of Latvia and links with fellow Latvians abroad	Directorate for Maltese Living Abroad	no
PL	PT	RO	SI	SK	SE	UK
2008 (amended in 2012) Migration Policy of Poland – Current State of Play and Further Actions;	2010 Valorizar as Comunidades Portuguesas	Law 156/2000 on the Protection of Romanian Citizens Working Abroad	since 2010 Strategy for economic migration for the period from 2010 to 2020 includes some clues on emigration	Concept for the State Policy Until 2015 for Care of Slovaks Living Abroad	no	no, but increased interest since 2006

Source: country reports

The short overview provides several interesting insights. In 2000s there have been a general increased interest in emigration and diaspora policies: nine out of 28 MS have introduced a new dedicated Law (recent or recently amended) or a Strategy (BG, DE, ES, HR, LT, PL, RO, SI, SK) on the topic. six out of 28 include emigration in their Migration Policy Strategies (BG, EE, FI, HR, PL, SI), linking effects of emigration to possible attenuation through immigration. eighteen out of 28 propose return migration policies (both of ethnic emigrants and of ethnic minorities) seen as a response to demographic crisis and as an economic asset. Only four out of 28 Member States focus explicitly on the issue of return or the retention of youth (LT, MT, SI, SK).

The mapping of EU responses to emigration on national level reveals three main categories of actions: traditional diaspora building policies; diaspora engagement policies; and active emigration policies.

#### 4.1 Traditional diaspora building policies

25 out of 28 Member States engage actively in diaspora building policies. The focus is on catering for the cultural needs of the communities of the same cultural background abroad, such as language schools, national curricula schools or active cultural programs for diaspora. Only Austria<sup>4</sup>, Denmark and Luxembourg have no government strategy, nor program focusing on e migrants and the cultural/linguistic support for them. The cultural links are built rather by private institutions and non-governmental organizations, for example, Lutheran churches serving Danish communities abroad.

Among the countries with cultural outreach policies, we encounter cooperation along linguistic and cultural lines. For example, Greek Cypriot government cooperates with Greek government as regards language and national curriculum schools abroad. Also the Greek Orthodox church caters for the needs of Greek Cypriot communities abroad. Austrian communities fill in the state policy vacuum by cooperating with German institutions abroad, especially as regards schools. The same can be said about Belgian associations: divided along linguistic lines, they tend to cooperate with French, Dutch or German entities.

The most common element of cultural policy is maintenance of language and curricula schools abroad. Often they are affiliated at embassies (as Sunday or weekend schools), but also as self-standing curriculum programs. There is a difference in approach. Central European Member States maintain embassy schools (Bulgaria has over 350!), as well as curricula for national minorities abroad (e.g. Lithuanian school programs in Poland). The Northern Member States tend to mix cultural diplomacy with diaspora outreach: the prime example is the network of French<sup>5</sup> or British schools abroad offering full curricula. Germany is the most active state in this field, offering over 870 language and cultural programs in local schools abroad.

The Member States also engage in building identity of certain professional groups abroad, although the practice is not very common (four out of 28 Member States): e.g. the Czech Republic creates Czech Business Clubs in the main countries of destination, while the Irish state supports various Irish professional organizations abroad (the extreme example of that was the 2009 Irish Global Economic Forum).

In general, the Member States seem to uphold a tradition of providing cultural ties to their emigrants and their descendants. Not surprisingly, the more ethnic-based the dominant culture is at origin, the more intense the investment in these ties. Hence the difference between fewer than five schools offering cultural and language immersion offered by the Czech Republic abroad and nearly

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<sup>4</sup> Even Austrian Institutes abroad focus only on teaching of German and offer a program of general Germanophone cultural events rather than specific Austrian cultural programs.

<sup>5</sup> Until 2012, French schools abroad were free of charge for French citizens living abroad.



200 offered by Lithuania. The size of the country does not matter either: Malta supports twelve language and cultural programs in the main countries of destination, while Denmark supports none.

A separate category of catering for diaspora needs are policies focusing on vulnerable emigrants. Such policies had been the center of Spanish and Portuguese diaspora policies up until the crisis. They addressed the needs of pensioners and emigrants in extreme poverty. Italy also runs a program for its retired diaspora abroad, that boils down to giving information on possibilities of getting the Italian pension rights and of a return to Italy for old age.

#### **4.2. Diaspora engagement policies**

Following the new trends in diaspora policies world-wide, we could expect that the EU Member States should have taken a deeper look at the outflows of human capital and that they might focus on engaging emigrants in development strategies. In fact, the debate about emigration of the youth and highly skilled that has taken place at the EU level since the beginning of the euro-zone crisis (and particularly on the emigration of researchers for over a decade now) is not new to many EU Member States. Nevertheless, approaches differ. They are mainly driven by dominant discourses in a given country.

For countries with a strong global entrepreneurial outreach, like the UK and the Netherlands, the issue of emigration of human capital has risen higher on the political agenda in the last ten years. The UK is the top EU sending country to non-EU destinations and the Netherlands is also among the top ten sending EU states. This has to do with the economic engagement of British and Dutch companies in many countries around the world, but is also a question of specific categories of migrants: Dutch agrarian entrepreneurs tend to emigrate to places where they can invest in agricultural production, hence a growing Dutch community in Australia. In 2006, the UK authorities launched a research program “The Global Brit” in order to analyze the phenomenon of British emigration flows, focusing on the potential of emigration for strengthening British economic clout abroad. Conversely, the Dutch authorities were more interested in potential brain-drain from the Netherlands than in potential brain-gain for the Dutch economy. The two views reflected the actual ideology around emigration: as the result of the imperial experience, the British traditionally see emigration as part and parcel of building global economic and political power. The communitarian tradition of the Netherlands is much more cautious towards emigration.

France is an interesting case of a country which does not acknowledge emigration. In fact, the French policies use the term “expatrié” instead of “emigrant” and “international mobility” instead of “emigration”. Language here is telling: the links between France and its citizens abroad is stable and the distance only temporary. This perspective pushes French authorities to take more responsibility over those French men and women living abroad. Apart from the vast cultural and educational activities, France is a very good example of active diaspora engagement policy entrepreneur. French institutions actively link with French entrepreneurs abroad and French communities are well organized around a dense network of French schools and Institutes of Culture. As the French do not emigrate but are merely mobile, State policies provide this category of people with special social security services and special bank services. Moreover, international mobility being an occasion for brain-gain, France has a special view of the labour market integration of its citizens abroad. It is not by chance that France is party to the only successful (to the date) example of an ambitious bilateral agreement in the area of recognition of qualifications. The France-Quebec Memorandum of Understanding on Recognition of Professional Qualifications of 2008 covers almost 100 professions, trades and functions and makes it almost automatically possible for France-educated workers to practice their occupational skills in Quebec. The Memorandum has been made possible in part thanks to linguistic and cultural affinity of the two educational systems, and it made part of the broader France’ support for “la francophonie”. Regardless however of official ideological discourses, the fact is that since 2008, 15 times more French nationals benefited from the Memorandum than Canadian ones. This fact makes the policy a very pragmatic move in the effort to keep the brain circulation and brain gain a fact.

The traditional emigration countries of the European Union have different approaches to diaspora engagement. There are basically the categories of countries we are looking at: countries that experienced increased emigration flows following the EU accession, like Poland and the Baltic States, and countries that experienced more intense emigration after the euro-zone crisis, like Portugal and Ireland.

EU accession eased the tension on the labour market of Poland (a rather positive outcome) but caused damaging outflows from Latvia and Lithuania. Reaction to emigration has been thus different. In Poland, emigration has not been felt to be a national economic drama. The flows had been there before, after 2004 they merely changed the destination and main characteristics (e.g. more young people emigrated to get more legal jobs). The response of the government was driven as much by the political situation at home as by a sense of economic urgency. The strategy towards emigration is very limited. It was based on renegotiating tax and portability of social rights agreements with the main countries of destination. There is no active return policy, only limited attempts to offer information about return options. The lack of active diaspora engagement policy can be explained by legal constraints: the Polish Constitution does not allow a different set of socio-economic or political rights to citizens regardless of their place of residence. Thus policies that would favour emigrants e.g. investments by emigrants (such as 2+1 in Mexico) cannot be legally implemented.<sup>6</sup> The same is true of return incentives.

The Baltic States, on the contrary, presented ambitious strategies that focus on diaspora engagement. However, none of the policy documents have been implemented so far.

Among the eurozone crisis emigration countries, Ireland has been to the date the only one that has actually tried to engage the diaspora. Already between 2000 and 2002, Ireland ran the “Jobs Ireland Programme”, informing Irish emigrants and their descendants of the employment opportunities in Ireland (this was, of course, in the Celtic Tiger phase of Ireland development). The onset of the economic crisis in 2008/09 resulted in an extra state drive to involve the Irish diaspora in economic business and tourist activity in the country. This led to the establishment of the Global Irish Economic Forum in 2009. One of the proposals that came from the Forum was the establishment of a ‘Global Irish Network’, which today comprises over 350 of the most senior Irish and Irish connected business people based in almost 40 countries. Another idea that emanated from the forum was the creation of the “Gathering”, a tourist-led initiative that has attempted to generate money in the domestic economy by attracting people from the Irish diaspora to visit the country during 2013. One other (largely unsuccessful) example of the state’s attempts to generate money from the Irish diaspora came in September 2011, when the Department of Foreign Affairs launched the new Certificate of Irish Heritage (at the cost of 40 EUR).

Among the instruments that can link the emigrants and diaspora to the country of origin are citizenship policies.

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<sup>6</sup> Interview with member of the scientific council to the Prime Minister of Polish government, 25.06.2013

Tab. 6 Dual citizenship in the EU

AT	BE	BG	CY	HR	CZ	DE
dual citizenship not allowed	dual citizenship allowed; voting allowed	28 393 certificates issued for Bulgarian origin in 2012 for members of minorities (semi-citizenship status) ; <i>ius soli</i> , dual citizenship allowed	dual citizenship allowed	dual citizenship allowed, <i>ius sanguinis</i> ; facilitated naturalisation for descendants	<i>ius sanguinis</i> ; automatic loss if naturalised; dual citizenship allowed for marriage, birth, restoration after deprivation (communist regime); semi-citizenship	dual citizenship partially allowed
DK	EE	EL	ES	FI	FR	HU
dual citizenship not allowed, but exception for birth. In 2013 the concern for native Danish abroad pushed the government to reconsider the policy.	dual citizenship not allowed	dual citizenship permitted, indefinite transmission	dual citizenship allowed for some countries	dual citizenship allowed	dual citizenship allowed	dual citizenship allowed
IR	IT	LT	LU	LV	MT	NL
dual citizenship allowed, <i>ius sanguinis</i>	dual citizenship allowed, <i>ius sanguinis</i>	<i>ius sanguinis</i> , dual not allowed;	dual citizenship allowed	dual citizenship allowed for some countries	dual citizenship allowed; <i>ius sanguinis</i>	dual nationality hardly tolerated: proposal in 2013: Dutch nationals who spend ten years (uninterrupted) outside of the Netherlands and the EU could lose their Dutch nationality.

PL	PT	RO	SI	SK	SE	UK
<i>ius sanguinis</i> ; dual citizenship allowed; semi-citizenship for minorities	dual citizenship not allowed but in practice it is tolerated	dual citizenship is allowed	<i>ius sanguinis</i> ; dual tolerated;	<i>ius sanguinis</i> ; dual citizenship tolerated; marriage or birth cases allowed by law; fees to renounce citizenship	multiple citizenship tolerated	dual citizenship allowed; agreements that counteract forced loss

Source: country reports

EU Member States predominantly allow dual citizenship. When they do not, the policy has been conceived with regard to naturalized immigrants rather than country-born emigrants and their descendants, as in the case of Denmark and the Netherlands.

### 4.3 Emigration policies

The EU Member States shape the mobility of their citizens in two main ways: through actual agreements on mobility; through agreements facilitating this mobility, such as agreements on double taxation or social security agreements.

Apart from EU freedom of movement, which is the best example of an emigration policy applied on a regional scale, all Member States have some form of mobility agreement as regards external EU movement. The most popular ones are Work and Travel agreements signed by almost all Member States with Canada, Australia and New Zealand, as well as, to a lesser extent, with the US. Disguised as cultural programmes, these schemes are in fact temporary worker agreements.

However, only few member States have non-EU agreements on sending workers abroad. In fact, this type of information is very difficult to get and for the moment we can only rely on anecdotal evidence. For example, in the special case of Canada, Germany has been regularly involved in sending abroad specific categories of workers, such as truck drivers of middle-skilled technicians, to work in Canadian provinces. The same is true of Poland, which has been regularly providing specialists in the “clean coal” technology for the province of Alberta. Portugal had had a rich internship programs for its IT specialists to go and work in the Silicon Valley companies (with rather low return rate). These agreements, however, are not well documented, as they are usually negotiated between the economic departments of the EU embassies and relevant authorities in the destination countries. The lack of information on this type of activity is further sustained by the lack of public interest (as opposed to immigrant recruitment agreements). It is thus possible that there are more bilateral agreements on the mobility of workers from the EU.

As regards international agreements on double taxation and social security, EU Member States are very active. A brief look at the numbers of non-EU agreements on double taxation (that is signed with non-EU countries, covered otherwise by EU legislation) shows that France signed only nine such agreements (defined as quite detailed) and the champion in this regard, Germany, as many as 74 (less heavy). As regards social security rights outside of the EU coordination mechanism, Estonia, Lithuania, Slovakia and Slovenia have not a single agreement with a non-EU country, while the champion here, the Netherlands, has 60.

Until now, the EU Member States have not engaged *en masse* in return policies that would bear fruit on the same level with developing countries. But as noted in the first part of this section, some of them actually put these kinds of solutions in policy strategy documents.

## 5. Some conclusions

- Migration governance is a term widely recognized in migration studies literature (Betts 2011, Kunz *et al* 2011) but it, in fact, only deals with immigration. However, the EU countries tend to address both in-flows and out-flows and their consequences. If the regulation of in-flows is regarded as “top-of-the agenda”, out-flows gain less attention, with the exception of the recent few years of euro-crisis. And yet there are several ways in which both types of mobility are related: immigration can be a response to emigration (to meet shortages on the labour market); failed integration can cause more emigration; highly mobile immigrants can move to other destinations, etc. Migration governance should thus work in a continuum of various forms of mobility and should be redefined.
- The individual EU Member States have very well-grounded strategies and policies towards emigration. From the almost anti-emigration stance of Denmark and the Netherlands, to active and nurturing policies of Ireland, France and Germany. Following my division between diaspora policies (focusing on creating ties and supporting performance of individuals and communities) and emigration policies (regulating mobility), we can see that basically all Member States are active in these areas. However, emigration policies are much more difficult to capture as they no longer involve mass recruitment or nation-wide regulations. They are also less publicized.
- What is important the experiences of the Member States are not promoted on the EU-level. There is no EU community of practice that has emerged around the emigration issue (as opposed to the immigration issue).

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