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PATTERNS OF CIRCULAR MIGRATION IN THE EURO-MEDITERRANEAN AREA: IMPLICATIONS FOR POLICY-MAKING

Jean-Pierre Cassarino

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MIREM project

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The Euro-Mediterranean Consortium for Applied Research on International Migration (CARIM) was created in February 2004 and has been financed by the European Commission. Until January 2007, it referred to part C - “*cooperation related to the social integration of immigrants issue, migration and free circulation of persons*” of the MEDA programme, i.e. the main financial instrument of the European Union to establish the Euro-Mediterranean Partnership. Since February 2007, CARIM has been funded as part of the AENEAS programme for technical and financial assistance to third countries in the areas of migration and asylum. The latter programme establishes a link between the external objectives of the European Union’s migration policy and its development policy. AENEAS aims at providing third countries with the assistance necessary to achieve, at different levels, a better management of migrant flows.

Within this framework, CARIM aims, in an academic perspective, to observe, analyse, and predict migration in the North African and the Eastern Mediterranean Region (hereafter Region).

CARIM is composed of a coordinating unit established at the Robert Schuman Centre for Advanced Studies (RSCAS) of the European University Institute (EUI, Florence), and a network of scientific correspondents based in the 12 countries observed by CARIM: Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestine, Syria, Tunisia, Turkey and, since February 2007, also Libya and Mauritania. All are studied as origin, transit and immigration countries. External experts from the European Union and countries of the Region also contribute to CARIM activities.

The CARIM carries out the following activities:

- Mediterranean migration database;
- Research and publications;
- Meetings of academics;
- Meetings between experts and policy makers;
- Early warning system.

The activities of CARIM cover three aspects of international migration in the Region: economic and demographic, legal, and socio-political.

Results of the above activities are made available for public consultation through the website of the project: www.carim.org

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Abstract

This study lays emphasis on the existence of various patterns of circular migration in South Mediterranean countries, which are shaped by changing circumstances and structural factors fostering and sometimes disrupting migrants' mobility. It sets out to determine the preconditions and possible improvements in terms of measures and instruments that need to be considered to optimise circular migration programmes for developmental ends, in cooperation with South Mediterranean countries.

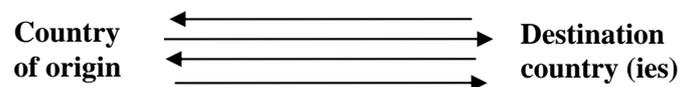
Résumé

Cette étude met en exergue l'existence de différents types de migration circulaire dans les pays du sud de la Méditerranée, influencés par des circonstances et des facteurs structurels variables, favorisant et entravant quelquefois la mobilité des migrants. Elle tente d'identifier les conditions nécessaires et les solutions possibles, en termes de mesures et d'instruments, dont il faut tenir compte afin d'optimiser, dans une perspective de développement, les programmes de migration circulaire en coopération avec les pays du sud de la Méditerranée.

What circular migration precisely implies and how it differs from migration *tout court* is rather clear for migration scholars. It is, however, unclear how and what governmental and intergovernmental institutions intend to promote and implement when dealing with circular migration.

People moving across borders may, through their mobility, be involved in a form of back and forth movement between their places of origin and of destination. Because of their repeated and fluid cross-border mobility, they are circular migrants. Migrants' countries of origin and destination may cooperate with a view to developing circular migration programmes. However, the premises of these bilateral schemes may turn out to be so constraining and restrictive in terms of participation that, in practice, the bilateral cooperation might promote the selective temporariness of labour mobility more than its fluid circulation.

As early as the 1970s, Frank Bovenkerk's seminal essay defined circulation as "the to and fro movement between two places, [this movement] includes more than one return [to the place of origin]. Truly, repeated movements are the ingredients leading to circulation. These may include stays in one or various countries abroad (see graph below) with repeated return movements back to the country of origin.



Source: Bovenkerk (1974, p. 5)

The above graph draws on Bovenkerk's assumption and describes a pendulum-like movement between migrants' country of origin and one or various destination countries. This means that migrants may circulate abroad or reside in various destination countries before returning more than once to their home country. In other words, circular migration cannot be limitedly viewed as being a binary movement between the country of origin and one country of destination.

There are additional elements inherent in the dynamics of circular migration that need to be stressed.

First, circular migration does not involve legal migrants only. As emphasised by Amelie Constant and Klaus Zimmermann¹, "circular migration is even an issue for illegal migrants". Their assumption implies that circular migration movements are not necessarily managed as a result of state policies.

Second, not all migrants are circular migrants. In other words, not all migrants (can easily) circulate between their origin countries and abroad. There are migrants who leave for abroad and stay abroad (i.e., they emigrate). There are migrants who leave for abroad once before returning for good and staying in their home countries (i.e., they return on a permanent basis). Conversely, there are migrants who leave for abroad before returning to their home countries, on a temporary basis, and then decide to move again (i.e., they return on a temporary basis and circulate across borders).

Third, there exist various patterns of cross-border circularity which are shaped not only by the mobility strategy of migrants, but also by state policies in the field of migration management and border controls. This is illustrated in the first part of this paper. By drawing on the reports written by the correspondents, as well as on the existing literature on circular migration, this paper sets out to identify various levels of circular migratory movements while explaining how such movements have been dealt with, experienced and managed, if at all, by South Mediterranean countries' governments.

¹ Constant Amelie & Zimmermann Klaus F., "Circular Migration: Counts and Exits and Years Away from the Host Country", Discussion Paper Series IZA DP n. 2999, Institute for the Study of Labour, Bonn, August 2007.

Against this background, the circular migration schemes, which have been extensively discussed by European policy-makers and migration stakeholders over the last year, constitute just one pattern of circular mobility. The second part will not only focus on the rationale for the circular migration schemes and mobility partnerships that have been proposed by the EU and its Member States as part of the Global Approach to Migration. It will also pinpoint the preconditions and possible improvements in terms of measures and instruments that need to be taken into consideration to optimise circular migration programmes.

1. Patterns of circular migration in the South Mediterranean

Laying emphasis on the existence of various levels of circulation migration is key to understanding that the repeated cross-border movements of persons in South Mediterranean countries (SMCs) may be shaped and reshaped by changing circumstances and structural factors which sometimes foster and disrupt migrants' mobility. Levels of circularity vary across time, space and as a result of migrants' agency. These preliminary remarks are important to further the reflection on circular migration between destination and origin countries while showing that patterns of circularity may be hindered, embedded and regulated.

Hindered circular migration

Circular migration may be hindered when major obstacles prevent people from circulating across the border. Obstacles are diverse. They may stem from severe political tensions and military disputes between two countries, making the crossing of their adjacent border barely impossible.² The Circular Migration report on Turkey³ shows that when tensions between Turkey and Bulgaria reached a peak, as a result of the 1989 mass expulsion of Turkish minorities from Bulgaria, the ensuing closure of the border hampered circular migration, although petty traders involved in "a form of suitcase trade" continued crossing the borders.

Obstacles may also result from restrictive immigration policies and strengthened border controls which prevent the repeated back and forth movements that inhere in circular migration; emigration (whether legal or illegal, whether temporary or permanent) is the only option.

Geographical distance between source and host countries may also impact on the emergence of circular migration. Admittedly, some would argue that today's easy and low-cost means of transportation have contributed to fostering the circular movements of people even between distant countries. This argument holds true. Nonetheless, it is plausible that the longer the geographical distance between two countries, the less likely the emergence of repeated circular movements.⁴ Circulation remains above all (though not only) a question of geographical proximity between source and host countries.

² As shown by Hein de Haas, "after Morocco became independent from France in 1956, political and military tensions between Morocco and Algeria increased, leading to the closure of the Moroccan-Algerian border in 1962. This meant that circular migration to Algeria came to a definitive halt". De Haas Hein, "Morocco's Migration Experience: A Transitional Perspective", *International Migration* 45 (4), 2007, p. 45.

³ See Kirişçi Kemal, "Informal "circular migration" into Turkey: the bureaucratic and political context", national report published in the Circular Migration Series, CARIM, 2008, www.carim.org/circularmigration

⁴ See Yacobi Haim, "Circular migration in Israel", national report published in the Circular Migration Series, CARIM, 2008, www.carim.org/circularmigration

Embedded circular migration

When a form of symbiotic relationship exists between people and territories, when people cohabit with a border which (administratively but not physically) demarcates two territorial entities that are characterised by frequent exchanges of goods, contacts and interaction, when frequent circular movements exist despite and because of the border, then circulation migration is embedded into the lived reality of a territorial area which encompasses two or several countries.

Circular migration may be embedded in the consolidation of a regional trading bloc because the fluid movement of people is viewed as being conducive to a reinforced integration process between the member states of the trading bloc and to an area of stability and enhanced economic exchanges. Circulation, i.e., the repeated to and fro movements of people between places, is fostered by the lowering of national barriers or by granting preferential free-entry visa regimes between member states. The European Union is probably the most typical example where circularity is embedded in the consolidation of a regional bloc. Circularity exists because of the existence of a coherent and stable bloc of countries which mutually agree to lower their barriers. *Vice versa*, the bloc of countries exists because of the internal circularity which nurtures its cohesion and unity. No top-down dynamics of the kind have been mentioned in the reports related to circular migration in the South Mediterranean area. Nonetheless, another type of embedded circular migration, at a grass-roots level, has been identified by some authors.

In different settings, circular migration may be viewed as being embedded because it is or has always been part of the reality of a geographical area covering various national territories. In this case, repeated cross-border movements of people precede and survive the formation of nation-states. Whether states decide or not to foster, from a top-down perspective, the mobility of their citizens, circular migration remains part and parcel of grass-roots dynamics sustaining the mobility of people across borders. This is what Martin Stokes observed in the Hatay region spanning Turkey and Syria⁵. This is also what Salam Kawakibi⁶ and Fadia Kiwan⁷ showed, with reference to the circulation of Syrian migrants. Their repeated back and forth mobility between Syria and Lebanon is emblematic of a self-sustaining cross-border circulation which was viewed and perceived by some segments of the Syrian population as being a natural off-shoot of the former Great Syria under the Ottoman Empire (see report on Lebanon).

Importantly, there is no question that Syrian migrants' circulation has to be correlated with the eroding capacity of the Lebanese government to effectively secure sovereignty on its own territory, as a result of the 1975-1990 civil war, resilient internal divisions and external pressure from neighbouring countries. Syria's reinforced control over Lebanon, after the end of the civil war, contributed to making the temporary circulation of Syrian migrants across the border as a mere *fait accompli* which was not subject to any legal provision aimed at controlling the entry and exit of Syrian citizens. This *laissez-faire* policy, as applied to Syrian migrants, was of course reflective of the reinforced interference of Syria into domestic Lebanese affairs and of its stronger control and influence. Managing, let alone limiting, the circular movements of Syrian migrants continues to be a tricky issue given its highly sensitive character but also given the fact that these movements have gradually been embedded in the intricate political relations linking Lebanon with Syria.

⁵ Stokes Martin, "Imagining 'the South': Hybridity, heterotopias and Arabesk on the Turkish-Syrian border", in Wilson, Thomas & Donnan Hastings (eds), *Border Identities: Nations and state at international frontiers*, Cambridge: Cambridge University Press, 1998, pp. 263-288.

⁶ See Kawakibi Salam, "Migration circulaire des Syriens : Etat et perspectives", national report published in the Circular Migration Series, CARIM, 2008, www.carim.org/circularmigration

⁷ See Kiwan Fadia, "La perception de la migration circulaire au Liban", national report published in the Circular Migration Series, CARIM, 2008, www.carim.org/circularmigration

Kiwan underlines that since the adoption of the September 2004 UN Security Council Resolution 1559 calling upon foreign forces to withdraw from Lebanon and to cease interfering in the domestic affairs of Lebanon, antagonism against Syria mounted among the Lebanese society and political officials, particularly after the February 2005 assassination of former Prime Minister Rafik Hariri. It is in the wake of this international and domestic crisis that the temporary entry of Syrian immigrants in Lebanon has been gradually taken into consideration by the Lebanese public administration. Kiwan mentions the unprecedented creation of a special bureau, within the Lebanese Ministry of Labour, in charge of regulating the entry and residence of Syrian immigrants in Lebanon. However, resilient political tensions (between pro- and anti-Syria positions) within the current government, added to dominant business-oriented interests, seem to jeopardise any concrete progress in the mandate of the bureau.

Crisis, in all its dimensions, is more often than not the key factor turning the repeated to and fro movement of migrants into a visible, if not a problematic, phenomenon. What was viewed as being part of the lived reality of a cross-national context (i.e., embedded circular migration) may be viewed as being disruptive because of changed circumstances. As mentioned above, the reports on Lebanon and Syria provide a concrete illustration of how the embeddedness of some circular movements may be questioned by crisis elements at national and international levels. The state may respond by adopting restrictive provisions aimed at controlling and regulating the entry and residence of migrants while showing to its constituency that it has the capacity to do so. Similarly, the host society may respond with strong xenophobic perceptions and discriminatory attitudes vis-à-vis circular migrants with a view to (re)constructing boundaries of distinctiveness as a reaction to the perceptible porosity of the national border (see the report on Mauritania).⁸

Regulated circular migration

Circular migration may be managed and regulated when institutional mechanisms are implemented to determine the number of admitted migrants (e.g., with quotas), to monitor their limited duration of stay abroad, and to select their profiles and skills. Regulated circular migration involves the prior selection of migrants in their country of origin.

Just like temporary migration schemes (e.g., Germany's *Gastarbeiter* programme), circular migration schemes (CMSs) are aimed at reacting flexibly to the need for foreign manpower in destination countries. Memoranda of understanding, exchanges of letters, and privileged-entry-quotas agreements may be concluded at a bilateral level (see reports on Algeria, Tunisia, Jordan)⁹ to match labour needs in specific sectors of industry.

⁸ See Bensaad, Ali, *Les migrations transsahariennes, une mondialisation par la marge*, 2005, Online: http://www.algeria-watch.org/fr/article/analyse/bensaad_migrations_1.html. See also Bensaad, "Mauritanie : L'inhibition des « effets retour » de circulations migratoires diverses et intenses", national report published in the Circular Migration Series, CARIM, 2008, www.carim.org/circularmigration

⁹ See Labdelaoui Hocine, "La dimension socio politique de la migration circulaire en Algérie"; Bel haj Zekri Abderazak, "La dimension politique de la migration circulaire en Tunisie: Les points de vue des acteurs sociaux et politiques"; De Bel Air Française, "Circular migration to and from Jordan : An issue of high politics", national reports published in the Circular Migration Series, CARIM, 2008, www.carim.org/circularmigration

Temporariness is a shared objective for both temporary migration schemes (TMSs)¹⁰ and CMSs. Scholars from various disciplines have already emphasised the fact that temporariness may have a certain bearing on the low propensity of employers to invest in the training of temporary foreign workers. Furthermore, temporariness may also shape the professional behaviours of foreign workers on the job as well as their level of socialisation in the host country. This cause-and-effect relationship remains highly controversial among migration scholars. Actually, the advocates of the New Economics of Labour Migration argue that migrants' "calculated strategy" has a stronger impact on their professional behaviours than temporariness *per se*. In other words, it is because of their ability to plan and to maximise their temporary stay abroad that migrants have the capacity to "exert a higher level of work effort [in receiving countries] than that exerted by native-born workers"¹¹ and to save more money than native-born workers.¹² For the NELM, more than temporariness, the planning of the migration project has a bearing on the professional performance of migrants in host countries. As a counterargument, Heinz Werner remarks that temporariness is influential on migrants' attempt to maximise the benefits of their temporary stay abroad (in terms of accumulation of savings and foreign-earned incomes). However, he argues that temporary migrants "try to earn as much money as possible and at the same time cut costs [...] working overtime, accepting more difficult working conditions, living in cramped cheap accommodation etc. The consequences can be health risks and social segregation and isolation."¹³

Another characteristic shared by temporary migration schemes (TMSs) and circular migration schemes (CMSs) lies in the fact that they are part and parcel of broader patterns of bilateral cooperation. Abderrazak Bel Haj Zekri¹⁴ shows that the yearly entry quotas granted to Tunisian nationals by the Italian government result from the reinforcement of the relations between Italy and Tunisia, particularly following the involvement of the latter in the joint maritime operations aimed at controlling the external borders of the European Union. Similarly, Italy granted Egypt preferential entry quotas for its nationals following the signing of a bilateral readmission agreement in January 2007. Importantly, as they are located in a broader strategic framework, TMSs and CMSs may weave through various bilateral cooperative levels which are not necessarily linked to migration management issues.

A last common denominator between TMSs and CMSs is that both schemes often involve countries that are characterised by strong differentials in terms of living conditions, wages, economic development, education, the rule of law and political governance, to mention just a few. The resilience of such differentials makes the temporariness of labour migration an extremely tricky issue, not only because migrants may be tempted to seek permanent settlement abroad, but also because migrants'

¹⁰ Temporary migration schemes (TMSs) have been legion in the history of migration. Various agreements on the temporary mobility of labour migrants have been implemented at a bilateral level. Explaining the various typologies of TMSs and bilateral agreements that have existed to date to manage the mobility of temporary labour migrants goes beyond the scope of this report. For a comprehensive approach to the various typologies of TMSs, see Ruhs Martin, "The Potential of Temporary Migration Programmes in Future International Migration Policy", *International Labour Review* 145 (1-2), 2006, pp. 7-36. See also, Agunias Dovelin, "Linking Temporary Worker Schemes with Development", Migration Policy Institute, February 2007. See Aly Mansoor et Bryce Quillin (ed.), *Migration and Remittances: Eastern Europe and the former Soviet Union*, The World Bank, New York, 2007. World Bank, *Global Economic Prospects 2006: Economic Implications of Remittances and Migration*, Washington DC, 2006, p. 72-83.

¹¹ Stark, Oded, *The Migration of Labor*, Basil Blackwell, Cambridge, 1991, p. 392.

¹² Stark, Oded and Galor, Oded, "Migrants' savings, the probability of return migration and migrants' performance", *International Economic Review* 31 (2), 1990, pp. 463-467.

¹³ Werner Heinz, "Temporary Migration of Foreign Workers", p. 10. Manuscript available at: <http://doku.iab.de/topics/1996/topics18.pdf>

¹⁴ See Bel Haj Zekri Abderrazak, "La dimension politique de la migration circulaire en Tunisie: national reports published in the Circular Migration Series, CARIM, 2008, www.carim.org/circularmigration

Les points de vue des acteurs sociaux et politiques", national report published in the Circular Migration Series, CARIM, 2008, www.carim.org/circularmigration

countries of origin and destination may not share the same vision and interests in managing temporary migration.

Admittedly, circular migration schemes (CMSs) and temporary migration schemes (TMSs) share similar aspects. There are, however, various differences between both patterns of mobility that need to be emphasised:

- The first difference lies in the fact that CMSs allow for *frequent* temporary stays abroad whereas TMSs are based on a one-time-only temporary stay which usually closes the migration cycle.¹⁵
- Second, whereas temporariness is the common denominator between both patterns of managed mobility, repetition is *the* distinguishing characteristic of regulated circular migration movements.
- Third, both mechanisms of mobility are characterised by different infrastructures needed to implement their objectives. Being jointly organised by the public bodies of destination and origin countries, circular migration schemes require important financial and logistic resources which are usually far more substantial than those sustaining temporary migration schemes. Howaida Roman's report¹⁶ mentions the existence of a pilot project jointly initiated by the Italian and Egyptian governments with a view to training and recruiting a limited number of Egyptian workers in Italy. Roman describes substantial institutional resources, whether public or private, that are mobilised in the implementation and organisation of the pilot project.
- Fourth, circular migration schemes are based on sophisticated mechanisms aimed at selectively organising the mobility of foreign manpower and at securing the return of labour migrants. Incentives to return home after the termination of the job contract determine the efficacy of circular migration schemes. Migrants may be offered a kind of re-entry premium in the destination country once they return. Selective criteria are taken into consideration in order to prevent migrants from overstaying. In a recent interview, Hafid Kamel, Director of the Moroccan *Agence Nationale de Promotion de l'Emploi et des Compétences* (ANAPEC), declared that women migrants with spouse and children left behind in Morocco were preferred over unmarried women migrants, because the former have a reportedly higher propensity to return home than the latter, after the termination of the contract.¹⁷ Regardless of the questionable selective criterion used by the Moroccan job agency, incentives for migrants to return and securing return is indeed a central issue in circular migration schemes. This concern is not only motivated by the fact that the experience of migration should remain temporary, but also by the need to avoid family reunification as a potential by-product of over-staying or permanent settlement in the immigration country.

The foregoing caveat demonstrates that circular migration, i.e., the repeated to and fro movement between two places, may take various forms. Circular migration may be abruptly hindered (owing to tense diplomatic relations, restrictive immigration policies, closure of the border) and be gradually and potentially conducive to *emigration* or even to no mobility at all. Furthermore, the reference to the notion of embedded circular migration is important to show that grass-roots patterns of circular mobility exist in the South Mediterranean area. These may be self-sustaining and unmanaged, for they are part and parcel of the lived reality of an area spanning national territories. Finally, circular migration may be promoted and regulated at a top-down level when governmental institutions decide

¹⁵ This argument was also mentioned on the occasion of the Global Forum on Migration & Development which took place in Brussels on 9-11 July 2007. See the background paper of Roundtable 1, online: <http://www.gfmd-fmmd.org/en/system/files/RT+1+4+Background+paper++en.pdf>

¹⁶ See Roman Howaida, "Italian-Egyptian model in managing the emigration from Egypt to Italy: dimensions and prospects", national report published in the Circular Migration Series, CARIM, 2008, www.carim.org/circularmigration

¹⁷ See Jeune Afrique, "Le Maroc veut voir l'Europe accroître la migration légale", 4 December 2007, online: http://www.jeuneafrique.com/jeune_afrique/article_depeche.asp?art_cle=AFP62427lemarelagln0

to organise the temporary recruitment of specific categories of migrants in response to labour needs in destination countries.

Beyond the variety of circular movements, it is important to stress that the abovementioned three different patterns of circular migration are not mutually exclusive. Actually, they tend to overlap or coexist in similar national and cross-national settings.

An additional breakthrough of the abovementioned caveat lies in showing that the top-down regulation or management of circular migration occurs in the framework of broader bilateral cooperative patterns that need to be taken into account. When regulated, circulation migration is managed not only to match labour supply with demand and to organise the mobility of legal migrants, but also because it mirrors the existence of a form of *quid pro quo* between countries of origin and destination. The next section sets out to elaborate on this argument.

2. Rationale and preconditions for circular migration schemes: The EU approach

Just like the implementation of temporary migration schemes (TMSs), the adoption of circular migration schemes (CMSs) cannot be isolated from a broader framework of cooperation and interaction, at a bilateral level. In other words, there are preconditions that support the adoption and should secure the effective implementation of circular migration schemes.

Circular migration schemes are selective in terms of migrants' profiles, but also in terms of partnership with migrants' countries of origin. The attempt of the European Union to develop *ad hoc* circular migration schemes, through mobility packages granted to some third countries, is no exception.

Since 2005, the European Union has paid growing attention to the issue of circular migration.¹⁸ This interest culminated in May 2007 when the European Commission (EC) submitted a communication on circular migration and mobility partnerships¹⁹ between the European Union and third countries.

Mobility packages, based on reciprocal commitments from migrants' host and home countries are foreseen in the May 2007 communication. Such mobility packages are part and parcel of the circular migration schemes that the EU and its Member States intend to develop, in cooperation with third countries, with a view to reducing illegal migration and to finding solutions to irregular migrants' overstay in the EU territory.

Behind the introduction of such mobility packages lies the need to make third countries' governments and authorities more cooperative in the field of migration management, particularly in the fight against illegal migration and the thorny issue pertaining to readmission. In other words, mobility packages are selectively offered in that they are addressed to those third countries "once certain conditions are met, such as cooperation on illegal migration and effective mechanism for readmission".²⁰

¹⁸ The communication of the European Commission entitled Migration and Development: Some Concrete orientations (COM(2005) 390), dated September 2005, is probably one of the first EC documents which set out to present some policy recommendations regarding the promotion of circular migration (see its annex 5). Later, as a follow-up to the Hampton Court informal meeting of the Heads of State and Government (held in October 2005), the November 2005 Brussels Council of the EU invited the EC to further develop the idea of "temporary and circular migration". Further details were included in the November 2006 EC communication on The Global Approach to Migration One Year On: Towards a Comprehensive European Migration Policy, COM(2006) 735 final.

¹⁹ Commission of the EC, Communication from the Commission to the Council and the European Parliament: On Circular Migration and Mobility Partnerships between the European Union and Third Countries, (COM(2007) 248 final, p. 4.

²⁰ Commission of the EC, The Global Approach to Migration One Year On: Towards a Comprehensive European Migration Policy, COM(2006) 735 final, p. 7.

The EU's attempt to link mobility packages with cooperation on readmission is reflective of how this issue has become a central component of the EU immigration policy. This conditionality may be motivated by the need to secure the temporariness of circular migration movements and to avoid the permanent stay of migrants. Actually, cooperation on readmission constitutes a priority given that most expected commitments²¹ from third countries, listed in the abovementioned May 2007 EC communication, relate to concrete actions in cooperating on readmission and on the fight against illegal and irregular migration.

There are, however, other factors explaining this conditionality. First, readmission is all the more central for the EU and its Member States as the control of the European external borders have been reinforced. In other words, border restrictions impact on the fluid and repeated back and forth movements inherent in circularity. The EU and its Member States are aware of the fact that, because of border restrictions and the difficult access to the labour market in destination country, circular migrants might be tempted to extend the duration of their stay abroad²² or to overstay and become irregular. In the same vein, the resilient differentials in terms of standards of living, economic development, welfare and political governance between origin and destination countries constitute additional push factors that cannot be overlooked. As a response to this, the EU approach to circular migration focuses on two interrelated issues which are analysed below.

Enhancing the cooperation on readmission: A top priority for the EU

Given the resilience of the aforementioned differentials existing between the EU and its neighbourhood, particularly in the Euro-Mediterranean area, readmission is presented as the necessary instrument to deal with the unintended consequences of circular migration schemes.

Readmission requires cooperation with migrants' third countries. However, most South Mediterranean countries have been reluctant to cooperate on this issue. The first reason stems from the fact that there exist different costs and benefits attached to the cooperation on readmission. Whilst the interest of a European destination country sounds obvious, the interest of a South Mediterranean country may be less evident, above all when considering that its economy remains dependent on the revenues of its (legal and illegal) expatriates living abroad, or when migration continues to be viewed as a safety valve to relieve pressure on domestic underemployment. The second reason is that South Mediterranean countries view the cooperation on readmission as being predominantly shaped by the sole security-oriented interests of the EU and its Member States. The third reason is that few South Mediterranean countries have the institutional legal structural and financial capacity to deal with the readmission of their own nationals, let alone the removal of third-country nationals.

More importantly, it has to be stressed that new power relations in the Euro-Mediterranean area have emerged over the last few years. Actually, various countries (particularly Algeria, Egypt, Libya, Mauritania, Morocco, and Tunisia) have been proactively involved in numerous police operations aimed at controlling the external borders of the EU, at bilateral and multilateral levels.²³ These joint maritime operations have been conducive to the emergence of unprecedented patterns of

²¹ Commission of the EC, COM(2007) 248 final, p. 4.

²² This point draws on Heaven Crawley's viewpoint reported in House of Commons International Development Committee, Migration and Development: How to make migration work for poverty reduction, Sixth report of Session 2003-2004, vol. 1, 8 July 2004. "When people come to a country [...] through a managed migration programme often they have had quite a difficult time getting onto that programme in the first place, and when they get to the [destination country] their first thought is not to think about how to return, because they found it difficult trying to get here in the first place, it is more about how to stay" (see §71, p. 40-41).

²³ Lutterbeck Derek, "Policing Migration in the Mediterranean", Mediterranean Politics, vol. 11, no. 1 (2006) pp. 59-82.

interconnectedness²⁴ between the North and the South of the Mediterranean allowing various South Mediterranean countries to play the efficiency card in migration talks and to enhance their international credibility in the management of migration and border controls. These countries, and their regimes, have been gradually empowered following their involvement in the aforementioned police operations and they intend to capitalise on their strategic position.²⁵ Today, as a result of these changed power relations, the EU and its Member States know that exerting pressure on South Mediterranean countries to cooperate on readmission might be tactically mistaken.

It is for these reasons that the mobility partnerships and circular migration schemes contained in the EU global approach to migration are part of a new trade-off aimed at inducing third countries to become more cooperative on readmission.²⁶ The EU and its member states are becoming aware that a new compromise in the field of migration management needs to be found in order to guarantee a modicum of cooperation on readmission with these strategic (and empowered) countries. It is not yet clear how this compromise will be fashioned and whether it will conducive to concrete results. It is however likely that the European Commission is intent on adaptively revamping its cooperative framework on readmission issues in an *ad hoc* manner while “taking into account the current state of the EU’s relations with the third country concerned as well as the general approach towards it in EU external relations.”²⁷

As mentioned above, because circular migration schemes (CMSs) are part and parcel of broader patterns of bilateral cooperation, including among others the issue of readmission, the empowered position acquired by some South Mediterranean countries, as well as the responsiveness to their expectations, will shape the magnitude of the compromise.²⁸

Return and reintegration of circular migrants in their home countries

In its May 2007 communication, the European Commission views return and reintegration as a necessary stage in circularity. After their effective return, circular migrants would retain a form of “privileged mobility to and from the Member States where they were formerly residing”. Return would be encouraged by “the promise of continued mobility [by the authorities of the host country]”. Finally, the EC communication states that migrants would also commit themselves to returning home after the expiration of their work permit.

Undoubtedly, as stressed in the previous section, what makes circular migration schemes different from temporary migration schemes lies precisely in the existence of mechanisms aimed at sustaining

²⁴ Cassarino Jean-Pierre, “Migration and Border Management in the Euro-Mediterranean Area: Heading towards New Forms of Interconnectedness” in *Med.* 2005, Fundació CIDOB, 2005, pp. 227-231.

²⁵ This empowerment has become more and more perceptible in Euro-Mediterranean migration talks, particularly following the two Euro-African ministerial conferences which were held in Rabat in July 2006 and Tripoli November 2006. See Cassarino Jean-Pierre, “Informalising Readmission Agreements in the EU Neighbourhood”, *The International Spectator*, vol. 42, no. 2, (2007) pp. 179-196.

²⁶ Mobility partnerships “would be agreed with those third countries committed to fighting illegal immigration and that have effective mechanisms for readmission”, see Commission of the EC, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Applying the Global Approach to Migration to the Eastern and South-Eastern Regions Neighbouring the European Union, (COM(2007) 247 final, p. 19.

²⁷ Commission of the EC, Communication from the Commission to the Council and the European Parliament: On Circular Migration and Mobility Partnerships between the European Union and Third Countries, (COM(2007) 248 final, p. 3.

²⁸ This assumption echoes the statement made by current Spanish Minister of Foreign Affairs, Miguel Angel Moratinos, who declared that “the old approach to readmission agreements has to be complete with other approaches. This is not to say that we should renounce the need for readmission. However, to put this into practise, sending countries need an array of incentives to accept the removal of their citizens”. Interview with *La Vanguardia*, “La crisis de Canarias es fruto del éxito de la nueva relación con Marruecos”, 28 May 2006, <http://www.mae.es>

the to and fro movements of migrants and, consequently, their repeated return to their home countries. Reintegration – i.e., the process through which migrants take part in the social economic, cultural and political life of their countries of origin – is a core issue.

Since the 1960s, return migration has been subject to different scholarly approaches, from various disciplines. Despite the various levels of analysis that distinguish these scholarly approaches, they all share the assumption that migrants' patterns of reintegration in their country of origin are shaped by three interrelated elements:

- The place of reintegration (context in all its dimensions, in the home country);
- The duration and the type of migration experience lived abroad (it should be neither too short nor too long so that migrants have the opportunities to invest their human and financial capital acquired abroad upon return);
- The factors or conditions (whether favourable or not) in the host and origin countries which motivated return, i.e., the pre- and post-return conditions.

Taking into account these three interrelated elements (place, time as well as pre- and post return conditions) is critical in showing that various factors shape migrants' patterns of reintegration in their country of origin as well as their propensity to contribute to development. Migrants' patterns of reintegration, whether temporary or permanent, differ substantially in terms of contribution to development. They also differ in terms of capacity to mobilize the tangible (i.e., financial capital) and intangible (i.e., contacts, relationships, skills, acquaintances) resources that need to be mobilized to sustain reintegration.

There is no question that a return-friendly institutional environment would optimise the reintegration process of migrants, whether it is temporary or permanent. One of the key conditions to optimally develop circular migration schemes is that countries of destination and origin should promote *ad hoc* measures aimed at rewarding the contribution of circular migrants to development. Circular migration, if properly regulated and managed, requires the promotion and adoption of such measures as well as the existence of a return-friendly institutional environment in host and origin countries.

Today, the planned implementation of circular migration schemes in cooperation with the EU and its Member States, on the one hand, and third countries, on the other, calls for a revisited approach to return and reintegration. Actually, since the early 2000s, the return policies of the EU and its Member States have been predominantly, if not exclusively, viewed as instruments aimed at fighting against illegal migration. This dominant vision has been detrimental to the exploration of the link between return and development²⁹. Because of this dominant security-oriented approach, return has been limitedly viewed as the end of the migration cycle. Moreover, the dichotomous distinction between voluntary and enforced return has jeopardised the sustainable cooperation with migrants' countries.

Never as much as today have the effects of this limited and limiting approach to return been so harmful in terms of policy-making and relations with South Mediterranean countries and partnership with the Commission.

²⁹ It could be argued that the April 2002 Green Paper on a Community Return Policy on Illegal Residents, presented by the Commission (COM(2002) 175 final) epitomizes this security-oriented vision of return. The Green Paper acknowledged the existence of various categories of returnees making a clear-cut distinction between those who decide autonomously to go back to their country of origin and those who are forced to. The focus was, however, on the latter, i.e. on the forced and assisted return of persons residing illegally in the European Union. Admittedly, the Commission recognised that the return of persons who decide autonomously to go back to their countries of origin should deserve further attention, owing to its potential impact on return migrants' countries of origin, and that it should be "subject to further reflection on the part of the Commission, at a later stage." (p. 7).

Actually, for having focused on the security aspects of return the EU and its Member States find themselves with inadequate instruments aimed at supporting substantively today's circular migration schemes. Neither their national return policies, as they stand now, nor the November 2002 Return Action Programme, nor the draft directive on common standards and procedures for returning illegally staying third-country nationals, propose adequate instruments to promote the circular migration schemes put forward by the Commission in May 2007.

Unsurprisingly, the EC communication on circular migration has been welcomed with a certain degree of reservation and perplexity by some origin countries. They know that return inheres in circular migration schemes. However, the recurrent reference to readmission and the fight against illegal migration contained in the May 2007 communication raises concerns regarding the actual objectives of the proposed *quid pro quo* (see report on Tunisia).

The step forward

There is growing awareness that, in order to secure the cooperation of their empowered and strategic Mediterranean neighbours – which constitutes a prerequisite to implementing circular migration schemes (CMSs) and mobility partnerships – the EU will have to devise additional accompanying measures or actions enhancing the contributory impact of return (whether temporary or permanent) on the mobility of migrants and on the development of their country of origin.

A first step would consist in making CMSs more compatible with developmental concerns. New structural legal and institutional mechanisms will have to be taken into consideration in both origin and destination countries.³⁰

At the level of the EU, a green paper on a *Community policy on return and development* focusing, among others, on the temporary return of circular migrants, could be launched. This consultation would collect the inputs of numerous migration *and* development stakeholders in the EU and beyond. The issues raised in the green paper would contribute to placing return in a development-oriented perspective leading gradually to the adoption of a programme aimed at sustaining the temporary or permanent return and, above all, at favouring the adoption of instruments able to foster CMSs in partnership with migrants' countries of origin in the Mediterranean.

Giving circular migrants a concrete opportunity to go back and forth between their countries of destination and origin will depend on the extent to which these countries will be able to adopt adequate legal and institutional mechanisms aimed at supporting the reintegration of circular migrants. Few South Mediterranean countries have been institutionally sensitive to the question of reintegration owing to their externalised vision of migration flows, as explained before. It is argued that, more than finding incentives to make countries of origin more cooperative on readmission, these should instead be encouraged to adopt legal provisions and institutional reforms sustaining the reintegration of their nationals.

These basic preconditions, when concretely taken into account, will allow CMSs to be distinguished from TMSs.

³⁰ Aly Mansoor et Bryce Quillin (dir.), *Migration and Remittances: Eastern Europe and the former Soviet Union*, The World Bank, New York, 2007, p. 15.

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