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ORDERLY AND HUMANE MIGRATION : AN EMERGING PARADIGM FOR DEVELOPMENT

Abstract

The movements of people within and across geographical or political frontiers have been an enduring component of human civilisation. These movements have contributed to enriching societies and benefiting economies of both countries of origin and destination. It is recognised that orderly migration can help forge economic, social and cultural bonds between peoples and countries, and irregular and non-regulated migration can cause harm to those relations. Globalisation and deeper economic interdependence will create a greater need for an orderly movement of people. Therefore, there is a need to develop politically acceptable and economically viable migration regime to face migration challenges to maximise benefits and minimise risks. This task cannot be undertaken by individual states acting in isolation. A genuine collaborative endeavour is the precondition for developing a new migration regime that can effectively manage the migration challenges in a globalised world. The efforts should aim at establishing an orderly and humane migration regime with the help of international organisations such as the International Organization for Migration. It should have a mechanism to reconcile contradictory priorities and interests of various countries. The success of the regime would depend on balancing the concerns and interests of origin and destination countries.

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INTRODUCTION

The movements of people within and across geographical or political frontiers have been an enduring component of human civilisation. People have constantly dispersed under compulsion or voluntarily either to escape from life threatening situations or in search of better livelihood. These movements have contributed to enriching societies and benefiting economies of both countries of origin and destination. It is estimated that there are currently about 150 million people living outside their country of birth.¹ Out of these, 12 million are refugees and 97 million are migrant workers.²

International migration is characterised by the movement of persons from their countries of origin to countries of destination with the intent to remain for an extended stay. International migrants do not include tourists, business travellers, religious pilgrims, persons seeking medical treatment and visitors. There are numerous causes of international migration including poverty, lack of employment opportunity, economic instability, environmental degradation, armed conflict and natural disasters. The rapid movements of capital, goods and services accompanied by unprecedented growth in communication and transportation technologies across the world have accelerated migratory movements. Economic disparities as well as demographic changes have also been powerful push and pull factors affecting the movement of people.

In the 21st century, changing geo-political as well as geo-economic landscapes and emergence of "knowledge-economy" are likely to further accelerate movement of people. It is predicted that the total number of international migrants will approach 250 million

¹ International Organization for Migration (IOM), *World Migration Report 2000*, Geneva.

² ILO, *Migrant Workers*, International Labour Conference, 87th Session, 1999, Geneva.

by the year 2050.³ The increased volume, complexity and pace of change in migratory pattern are posing challenges for management of migration particularly for labour originating countries.

MIGRATION-DEVELOPMENT NEXUS

International migration and development are interconnected. The interface between migration and development is exceedingly complex. Migration cannot be explained in terms of simple movement of people from one place to another. Similarly, development cannot be explained only in terms of economic growth. As a dynamic process, it implies growth, advancement, empowerment and progress.⁴ The understanding of the relationship between the two concepts, therefore, is rather limited because both are highly dynamic, multifaceted and complex processes, which vary across time and space and can be considered from very different perspectives. The migration-development linkages can be mutually reinforcing and positive or can be mutually weakening and negative depending on social and economic environment of countries of origin and destination.

There are two approaches to describe the migration-development nexus. First, *balanced growth approach*: As part of liberal economic theories, it suggests that by alleviating unemployment and providing economic supports through remittance and migrant skills, migration

³ ILO, IOM, OHCHR & UNHCR, *International Migration, Racism, Discrimination and Xenophobia*, A Publication for World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR), August 2001.

⁴ The ultimate goal of development is to build human capabilities and enlarge human choices to create a safe and secure environment where citizens can live with dignity and equality (UNDP, *Human Development in South Asia 1999*). In the development process, it is important that people's productivity, creativity and choices are broadened and finally opportunities are created not only for present generation, but also future generation to meet basic needs.

enhances development in the countries of origin. It also narrows inter-country income disparities and eventually makes migration unnecessary. Second, *systematic approach*: It does not recognise that migration, through remittances and return, automatically accelerates development in the country of origin. It rather suggests that migration often distort the development process through “brain drain” and widening of income disparities.

There is, however, a general recognition that migration is an integral part of economic development process. Whether it will have a positive or a negative impact on the society and economy depends on the political and socio-economic conditions prevailing in the society and economy. It is obvious that migration cannot be the full substitute for development. But it is equally obvious that development cannot be envisaged without migration.⁵

The impacts of migration on the development process of originating developing countries could be assessed at various levels or sectors.⁶ These are:

Labour Market and Employment: According to the neo-classical theory, out-migration (emigration) brings positive impacts on labour surplus developing countries by providing job opportunities abroad. In fact, the most important impact of out-migration is on the employment sector. For example, seasonal migration of Mexicans migrant workers to the United States of America (USA) provides an important source of employment there. So is the case with million of workers of South Korea, Hong Kong,

⁵ For an analytical discussion, see Ronald Skeldon, *Migration and Development: A Global Perspective*, (Longman, England 1997).

⁶ This section has been developed based on IOM Migration Research Series No.5 entitled “Harnessing the Potential of Migration and Return to Promote Depend” August 2001 and Raisul Awal Mahmood, “Globalization, International Migration and Human Development: Linkages and Implications”, (unpublished, December 1998).

China and Malaysia, going to Japan. But, there is a downside of the out-migration as well. If not planned properly, out-migration can itself produce labour shortage especially of skilled people in certain sectors of the economy and can create inter-state tensions and conflicts.

Inflow and Use of Migrant Remittances: There are two extreme views on the beneficial impacts of remittances on the development process.⁷ First, "*developmentalist*" perspective: It argues that remittances have the potential to set in motion a development process in the originating countries. It can help removing production and investment constraints and can raise income level. Remittances have also positive impacts on the balance of payments of countries of origin as they help to narrow the trade gap, control external debt, facilitate debt servicing and produce much needed foreign exchange. Second, "*migrant syndrome*" perspective: It argues that migration drains countries of origin of their labour and capital by crowding out local production of tradable goods. It suggests that remittances are not put to productive use but mostly wasted for unproductive purposes such as housing, land purchase, transport etc. Remittances can cause inflation as they create a demand without concomitant production capacity.

There is, however, a general understanding among the experts and policy makers that remittances have far greater positive impact on communities in the developing countries than previously acknowledged.⁸ The multiplier effect of remittance can be substantial, with each dollar producing additional dollars in economic

⁷ Edward Taylor, "The New Economics of Labour Migration and the Role of Remittances in the Migration Process" Paper Presented at the Technical Symposium on *International Migration and Development* held in the Hague, Netherlands, 29 June-3 July 1998.

⁸ Martin F. Susan, "Remittances as a Development Tool" Paper Presented at a Conference organised by the Inter-American Development Bank, 2001.

growth for the business that produces and supply the products bought with these resources. Remittances can promote development if an enabling economic environment for use of remittances, institutional arrangements for money transfer and availability of investment and business opportunities in the origin countries exist. It has further been revealed that migrants, especially the permanent emigrants, sometimes use their earning to finance social and economic development projects in their home country.

Women Migration and Empowerment: “Feminisation” of migration is the most noteworthy trends in recent migration trends. Today women account for about half of the migrant population. For several countries of origin, they already constitute the majority. Women are migrating as independent workers and their roles now extend well beyond that of the spouse joining the husband in the destination countries.⁹ International migration is positively associated with the status of women.¹⁰ The opportunities for women to go abroad for employment enhance empowerment. According to a study, migration has an empowering effect on migrant women.¹¹ The empowerment draws from changes of role of women in areas such as household decision-making, division of labour, gender roles and community perception. The study also revealed that empowerment transcends the issue of “success” or “failure” of migration as measured by the economic and social indicators. Migration has the effect of extending women’s decision making power to spheres that were in men’s traditional domain such as the decisions involving in housing investment and the disciplining of children as revealed in the

⁹ IOM, Statement made in the Third Committee of UNGA, October 2001.

¹⁰ Raisul Awal Mahmood, *op.cit.*

¹¹ IOM and INSTRAW, *Temporary Labour Migration of Women: Case Studies of Bangladesh and Sri Lanka*, 2000, Geneva.

study. The changes in the family and social norms in case of female migrants are significant and useful.

Changes in Social Institutions: Migrants also influence positively local institutions such as family, school, social norms and traditions, and religious organisations by bringing in new progressive ideas into the development of social institutions. Migrants also invest in strengthening these local institutions.

Return of Migrants: Return migration is another important dimension in the migration-development nexus. It may be defined as the process whereby people return to their country or place of origin after staying a significant period in another country or region.¹² The voluntary return of migrants with financial capitals can benefit the countries of origin in various ways. The contribution of return migration on the development process depends on the aptitude and degree of preparation of the returning migrants, and the existing socio-economic and institutional conditions in the home country.¹³ The development implications of return migration can be analysed in terms of the following:

Financial Capital: Apart from sending remittances, migrants also save some money while abroad, which they bring with them on return. The impact of financial capital also raised controversies similar to that surrounding remittance. However, it is widely recognised that financial capital can have multiplier effect on the development process.¹⁴

¹² Russell King, "Generalizations from the History of Return Migration" in Bimal Ghosh (ed.), *Return Migration: Journey of Hope or Despair?* (IOM, 2000).

¹³ B. Ghosh, "Return Migration: Reshaping Policy Approach" in Bimal Ghosh (ed), *Return Migration: Journey of Hope and Despair?*, (IOM/UN, Geneva, 2000).

¹⁴ IOM, *Harnessing Potential of Migration*, *op.cit.*

Human Capital: It is defined as the knowledge, skills, competencies and attributes combined in individuals that facilitate the creation of personal, social and economic well-being.¹⁵ The migrants while living and working abroad gain considerable work experiences and skills. These new skills and ideas can have positive impact upon their return in the home country. The return migrants can act as positive change agents in the economies and societies, provided there is a conducive environment.¹⁶

Social Capital: It resides in social relationships rather than in individuals. It can be defined as the resources, actual or virtual, that accrue to an individual or a group by virtue of possessing a durable network of more or less institutionalised relationships of mutual acquaintance and recognition.¹⁷ Migrants can tap into the social capitals benefiting both sending and receiving country. The return of migrants, therefore, has a greater likelihood of positively influencing the development process in the home country.

IMPACT OF MIGRATION-SECURITY LINKAGES ON DEVELOPMENT

The issue of international migration has emerged as an issue of broader international security implications. At the beginning of 90's with the influx of irregular migrants to Western Europe and North America from Eastern Europe, irregular transcontinental movement became a security threat. The experts opined that ethnic conflicts in the post-cold era and socio-economic disparities have forced people to move posing development and security threats. Migrants, Refugees and Internally Displaced Persons (IDPs) are no longer considered as

¹⁵ OECD, *The Well-Being of Nations: The Role of Human and Social Capital*, (2001, Paris).

¹⁶ IOM, *Harnessing Potential of Migrations*, *op.cit.*

¹⁷ IOM, *ibid.*

simple humanitarian concern that can be solved by humanitarian action alone. Migration related security perception differs from country to country depending on position of the country in the migration spectrum.

In the migration and security debate, it is recognised that while orderly migration can help forge economic, social and cultural bonds between peoples and countries, irregular and non-regulated migration can cause harm to those relations. Irregular migration, in general sense, is a population movement that violates legal migration regimes, either in the state of origin, transit or destination.¹⁸ Irregular migrations negatively influence the development process particularly in the countries of origin. It can be a problem for countries of destination as well as for migrants themselves. The migrants in irregular situations are particularly vulnerable to abuses and exploitations. Migrants in irregular situations usually do not have access to the socio-economic benefits available to regular migrants. Irregular migration can destabilise societies already suffering from poverty and under-development. The costs of controlling borders, detaining and returning irregular migrants can be very high and it can place intolerable burdens on both the destination and weak economies of developing countries. The 11 September terrorist attack on America has added a new dimension in the debate. The discussion on migrants in pre-11 September focused on prevention of irregular migration and meeting labour market needs with migrant labour; while in post 11 September, the focus is on security and combating terrorism in relation to migration. There is a growing voice that legitimate concerns about security must not turn into excuses for xenophobic action.

¹⁸ IOM, "Overview of the Current Situation of Irregular or Undocumented Migration in the East and Southeast Asian Region: The Need for Policy Response Framework," Paper Presented at the International Symposium on Migration, Bangkok, 1998.

In the world increasingly based on democratic principles, free market systems and rule of law, states should not unduly restrict freedom of cross-border movement of people. At the same time, however, states have an obligation to ensure security, social stability, economic opportunity and general welfare of their citizens, while protecting and promoting respect of human rights and fair treatment of migrants. There is recognition that a new strategy is needed, to facilitate regular migration and prevent irregular migration for global peace.

IMPACT OF MIGRATION ON INTER-STATE RELATIONS

International migration is an inter-state phenomenon. It is beyond the capacity and reach of a country to effectively manage the process independently. Inter-governmental co-operation is vital to fully appreciate and develop positive effects of migration and reduce potentials of creating tensions between and among countries. Moreover, programme and activities in the labour migration process initiated by countries of origin cannot be successful without corresponding and reciprocal support from the receiving countries. Therefore, co-operation among all parties should be strengthened to cope with the migration challenges. Recognising common interests in migration matters, governments are increasingly showing interests to negotiate strategies which would support sustainable development of countries of origin and the labour needs of receiving country while giving due regard to the rights of migrants.

The inter-governmental co-operation should rely on an integrated policy approach that link migration to development co-operation, trade and investment, security as well as demographic and social development at national and international level. Success of such a comprehensive strategy to manage migration would depend largely on balancing the differing migration perspectives, concerns and

interests of the originating and destination countries. Mutual benefits can result from co-operation, if it is based on areas of common ground, common interests and common concerns.¹⁹ The Berne symposium – a Swiss initiative on establishing a framework for migration management - has identified certain principle elements for such inter-state comprehensive strategy, which are as follows:²⁰

- Equal possibilities for interested countries to participate in the establishment of a common framework;
- Partnership, trust, and transparency in inter-states co-operation on migration issue;
- Recognition of the fact that economic, social and cultural policies should not trigger mass irregular migration;
- Recognition of the principle of orderly, safe and dignified legal migration and consideration of the rights of migrants;
- Examination of various categories of migratory flows (labour, family, reunion etc.) and the extent to which relevant laws and procedures meet the interests of States and migrants;
- Joint fighting for stop of trafficking and smuggling of human beings, with particular attention devoted to children and women;
- Respect for basic readmission principles in the context of coherent return policies and respect for the principle and non-refoulement;
- Recognise that migration questions must be addressed in a balanced way as they are interrelated with broader development

¹⁹ International Migration Policy Programmes (IMP), "Global Migration Challenges-Where are the Common Interests and Mutual Benefits?" Paper Presented at the International Symposium on Migration, Berne, 14-15 June, 2001.

²⁰ Summary and Conclusions by the Chair of International Symposium on Migration, Berne 14-15 June 2001.

issues like, inter alia, the creation of employment opportunities, the access to education and health services, the preservation of a safe environment.

EMERGING PRO-DEVELOPMENT MIGRATION REGIME

There is a general agreement that wealth generated by migrants contributes towards development of economic, social and cultural fabrics of both countries of origin and destination. But, there is no widely accepted paradigm to take cognisance of migration-induced developments. There is also no global regime to regulate majority of the mobile people who are not refugees. The 1951 Convention relating to the Status of Refugees does not address the problem of non-refugee migratory people. There is no international guidelines or principles for population movement either as the 1990 International Convention on the Protection of Rights of all Migrant Workers and Members of their Families is yet to come into effect.

There is a consensus that a new paradigm should be established to tackle the migration issue. The paradigm should be politically and economically acceptable and should be based on the principle of “regulated openness”. It should aim at establishing an orderly and humane migration regime. The concept of orderly and regulated movement is distinct from “free movement” of people.²¹ It is conceived within a comprehensive multilateral framework that would strike a balance among the interests of all parties involved. It should focus on developing a manageable, productive and beneficial multilateral framework. It should be designed to:²²

²¹ For a detailed discussion, see Bimal Ghosh, “New International Regime for Orderly Movement of People: What Will It Look Like?” in Bimal Ghosh (ed.) *Managing Migration*, (Oxford University Press, 2000).

²² This part has been drawn from IOM Project entitled “New International Regime for Orderly Movement of People (NIROMP)” and Bimal Ghosh, *op.cit.*

- enhance capacity of governments and civil society to ensure greater predictability and transparency in migration management;
- widen people's choice to migrate particularly help them to avoid being smuggled;
- avoid inter-state tensions and threats to domestic security emanating from irregular migration;
- ensure orderly migration management and effective protection of rights of migrants; and
- facilitate return and reintegration of migrants through a co-operative endeavours of originating and destination countries.

The emerging regime also should be humane and approach migration from a human rights perspective. It should ensure the protection of the 'core' rights of migrants despite their status in the receiving country.²³ In conclusion, the following elements could be identified in the emerging pro- development migration regime:

- Orderliness and manageability
- Transparency and predictability
- Cost-effective system of migration
- Inclusive of all types of movements
- Effective mechanism for transfer of remittances
- Mechanism to translate migration benefits in development
- Adequate migration related information dissemination system

²³ For a detailed discussion, see Shahidul Haque, "International Laws and Institutions for Protection of Rights of Migrants: Challenges and Responses" in Dr. Mizanur Rahman (ed.) *Human Rights and Developments*, (Dhaka, 2001).

- Effective system for return and reintegration
- Effective protection of rights of migrants
- Compressive approach to curb irregular migration
- Co-ordinated monitoring mechanism

IOM IN EMERGING MIGRATION REGIME

“Properly managed migration can contribute to prosperity, development and mutual understanding among people. IOM exists to help migrants with all their needs and to assist governments in managing migration for the good of all.”

- Brunson McKinley, Director General, International Organization for Migration (IOM)

IOM has the broadest mandate to set and deal with full range of migration issues. It is committed to the principle that humane and orderly migration benefits migrants and societies. It is mandated to assist migrants, refugees and displaced persons and other individuals in need of international migration services. In general, it acts with its partners in the international community to:

- Assist governments in meeting the operation challenges of migration by enhancing their capacity;
- Advance understanding of migration issues;
- Promote positive aspects of migration and reduce irregular migration particularly trafficking;
- Encourage social and economic development through migration; and
- Uphold human dignity of migrants with a focus on seeking practical arrangements for orderly migration and solution to migration problems.

With a network of offices in some 100 countries, IOM carries out its operational immigration, emigration and return programme worldwide. IOM's activities fall into seven main service areas:²⁴

- Movements
- Technical Co-operation and Capacity-Building
- Assisted Returns
- Counter-trafficking
- Mass Information
- Migrant Health
- Labour Migration

The IOM is a global forum for discussion on migration issues among the member states. In addition, participation of relevant partner intergovernmental and non-governmental organisations adds value to the debate and the opportunity to ensure co-ordination with other important related agenda. The IOM Council offers states the opportunity to engage in an open and truly global exchange of information and ideas about migration policy matters. It affords the possibility of exploring issues, with a view to identifying possible common ground with representation from all regions of the world and all migration circumstances.

At the recently concluded November Council Session, IOM members, taking advantage of the special opportunity afforded by the celebration of the Organization's 50th anniversary, reflected on the migration realities and concerns. The participants identified migration challenges and outlined possible directions for facing the challenges. During the Session, the members took a historic decision to establish the IOM Council as a permanent "Forum for Dialogue on Migration"

²⁴ For details on each of the service areas, please visit IOM website: www.iom.int

CONCLUSION

In the 21st century, movement of people will assume greater significance. Globalisation and deeper economic interdependence will create a greater need for an orderly movement of people. The current international economic environment, in general, is also in favour of movement of labour. The following four inter-related trends are fostering human mobility:

First, globalisation increases possibilities of labour mobility by creating conducive environment. It raises the demand for movements of both unskilled and highly skilled labour. New market institutions including Multi-National Corporation (MNCs) also demand faster movement of labour especially highly skilled.²⁵ The progress in transport and communications make it possible to move faster and cheaper.

Second, emergence of “new growth” theory. It emphasises significance of inflow of external human capital and diffusion of knowledge and technology in the economy. The advance economies require increasing number of highly qualified “knowledge-workers” to sustain the level of activities. To meet the rising demand for skilled labour, rules related to movement of knowledge workers as “service provider” need to be amended making it more flexible. In fact, “knowledge-economy” of USA and Europe are altering the traditional pattern of movement of labour across borders.²⁶

²⁵ For an analytical discussion, see, Deepak Nayyar, *Cross-Border Movement of People*, Working Paper No.194, August, 2000, (World Institute for Development Economics Research, The UN University).

²⁶ For an analytical discussion see, John Dunning, (ed.) *Regions, Globalization and the Knowledge-Based Economy*, (Oxford University Press, New York, 1996).

Third, recent demographic changes. In most of the developed countries, population decline and population ageing are enhancing possibilities of greater mobility of people. The "smaller and older" populations that are projected for developed countries over the next 50 years may have major impact on economy, society and labour market. According to the UN population projection,²⁷ Japan and all countries of Europe are expected to face declining population growth over next 50 years. For example, the population of Italy is projected to decline from current 57 million to 41 million by 2050. Similarly, the population of Japan is projected to decline to 105 million by 2080 from the current 127 million. In addition to the decline in population size, Japan and the countries of Europe are undergoing a relatively rapid ageing process. One of the ways to address this problem is through process of "Replacement Migration".²⁸ OECD has also concluded that the inflow of migrant workers would be needed to fully compensate the shrinking working-age population in many European countries.²⁹ The US and European service industries in particular have been pushing for a "liberal policy" for movement of "service providers" especially in hotel and restaurant, software, insurance and financial industries.³⁰

²⁷ UN, "Replacement Migration: Is It a Solution to Declining and Ageing Population?" ESA-P-WP.160, (N.Y. 2000).

²⁸ UN, *op.cit.* The report defines "Replacement Migration" as international migration that would be needed to offset declines in the size of population, the declines in the population of working age, as well as to offset the overall ageing of a population. For an analytical discussion also see the report prepared for the UN Expert Group meeting on "Policy Responses to Population Ageing and Population Decline", New York, 16-18 October, 2000 (ESA-P-WP.163).

²⁹ OECD, Report on "Ageing Population: The Social Policy Implications", Paris, 1998

³⁰ Shahidul Haque, "Quest for an Implementation Mechanism for Movement of Service Providers", July 2001, Geneva, to be published by South Centre, Geneva.

Finally, emergence of “diasporas”. The marginalised and alienated migrants are transforming themselves into “diasporas” by regrouping in foreign countries. These “diasporas”, have emerged as a dominant force playing a significant role in their host as well as home countries.³¹ They have been influencing the economic and trade relations between the host and the home countries demanding more creative and productive integration process.

It is clear that migration will continue to play a dominant role in the development process. The emerging orderly and humane migration regime will further enhance economic growth of both originating and destination country by positively influencing labour market and curbing irregular migration. On the other hand, disruptive and disorderly migration will negatively influence the economies and societies. The challenge, therefore, is to maximise the benefits that accompany migration and minimise its attendant risks. This task cannot be undertaken by individual states acting in isolation. A genuine collaborative endeavour is the precondition for developing a new migration paradigm that can effectively manage the migration challenges in a globalised world. A paradigm that will not propose a “supranational body”, rather would offer a comprehensive, widely negotiated and mutually agreed arrangement in the form of a “Frameworks for Co-operation” among all the countries and parties. It would reflect concerns and interests of all states and parties. It should contain principles to guide individual states to formulate and implement their individual migration policy. The paradigm should

³¹ For discussions, see, Shahid Javed Burki, “Remittances and Productive Investment: The Economic Contribution of Diasporas”, Paper Presented at the Workshop on “Making the Best of Globalization: Migrant Workers Remittances and Migrant-Finance”, organised by ILO, Geneva, 20-21 November, 2000, and Cohen, Robin, “Diasporas and the Nation-State? From Victims to Challengers”, *International Affairs*, 72,3 (1996) pp. 507-520.

have a mechanism to reconcile contradictory priorities and interests of two various countries. The success of the paradigm would depend on balancing the concerns and interests of originating and destination countries. The process of developing a pro-development migration regime is indeed a difficult uphill endeavour. But it is not an impossible task. A very high mountain has to be climbed. Waiting to climb the mountain will not make the mountain smaller or will not make the task easier.