

SCIENTIFIC REPORT

ESF Exploratory Workshop

WHERE MIGRATION POLICIES MEET THE MIGRANTS: COMPARING EUROPEAN AND NORTH AMERICAN EXPERIENCES

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1. Executive summary

This workshop has studied whether and how the implementation of specific policies affects the plans and actions of individual migrants (and their families). It has brought together sociologists, political scientists, anthropologists, and international relations experts who work in the area of migration studies at both sides of the Atlantic. Each scientist presented a pilot case study based on 4-8 interviews with immigrants and policy officers looking at how much information migrants have on migration management/control and migrant integration policies; whether they take into account such policies and what are the results of this ‘interaction’ between migrants’ own plans and needs and the actual policies and in particular their implementation.

The hypothesis was put forward that we can conceptualise of ‘nodal points’ that mark the time and place in the migration process when a migrant ‘meets’ a migration policy. We had also put forward the idea that there are actual nodal points, missed nodal points (when the migrant does not know and hence ignores the policy) and ignored nodal points (when the migrant knows about the policy and feels its effect but chooses deliberately to ignore it and finds ways to circumvent it). We also considered the different types of migration in each country and checked whether different types of migrants (labour migration, family reunification, temporary work, commuting migration, legal vs. irregular migration) were affected by different policies.

The case studies presented in the workshop were organised into four migration systems: East-West Europe, North Africa-Europe, Middle East-Europe, and Central-North America. Within each system one migrant group was chosen as the reference group (with the exception of the East-West Europe system where two groups were studied). The case studies included the following migrant populations and migrant receiving countries: Poles in Germany and Greece; Ukrainians in Italy, Hungary and Poland; Moroccans in France, Spain and Belgium; Turks in the UK and the Netherlands, Mexicans in Canada and the US.

The presentation of the case studies and the discussion that followed led to some interesting conclusions and opened up new research questions for further study. In particular,

Migrant agency and nodal points: Migrants pick and chose their ‘nodal points’ in line with their knowledge, wishes and needs.

Ignored nodal points: The **anticipation of policy reform** and the **enforcement** of a particular policy appear to be more important in influencing and shaping migrants’ plans than the actual policy itself. Whenever a policy interferes too much in the “survival” strategy of the migrant, that policy may be ‘felt’ but it tends to be ‘ignored.’

The ‘professionals’ of irregular migration – an important link in the migration chain: Ignored policies or policy implementation gaps leave wide room for organised criminal networks, informal networks or simply ‘irregular migration professionals’ to ‘assist’ undocumented workers to legalise their status, find employment and housing.

The fluidity of migrant typologies: Conditions of life and migrant status: people move in and out of regularity demarcations with remarkable ease. They may also move in and out of specific migration categories, i.e. from family reunification to family formation, from irregular migration to co-ethnic movement, and from temporary to long term stay. In this fluidity, two features remain constant and have important implications: gender and the role of networks.

Time, place and the local context: it is **policies at the local level** and the **way policies are enforced** that affect the everyday life of migrants and the decisions they make during their migration project.

The importance of enforcement: Restrictions may alter the path and the status, they may even influence employment conditions (paving the way for informal sector activities) but do not affect flows in any definitive quantitative manner. The way of implementation (relative strictness and tacit understanding) may be more significant factors influencing migrants than the letter of policies as such.

2. Scientific content of the event

In this workshop we have explored **the interface between migrants' plans and their actions, on the one hand, and state policies (immigration control and immigrant integration policies) on the other**. To date, studies on the governance of international migration or on migration policy have paid little attention to this interface. There has been little questioning of whether migrants are aware of the policies that concern them (be they policies about border control or be they policies concerning housing, welfare, anti-discrimination or education) or the extent and ways in which these are enforced.

Moreover, there has been little empirical research on whether migrants take these policies into account when making or changing their plans. For instance, there are indications that some migrants consciously chose to ignore immigration control policies and decide to cross a border illegally or overstay/abuse their tourist visa but little is known about why and how migrants make such choices. How much information do they have access to? Why and how do they decide to adopt a migration path instead of another? Are immigrant integration policies relevant for migrants making and changing their plans for staying longer in a host country, bringing in their family, returning to their country of origin, or moving to a third country?

In this workshop we looked at:

- the actual policy measures that are aimed at immigrants,
- the way these policies are implemented by state bureaucracies on a daily basis,
- the information that migrants have about the policies and the implementation practices,
- the very actions and plans of the migrants, and,
- whether these have been modified in reaction to the policies or in response to other factors.

This workshop has sought to explore the issues raised above through **the presentation, discussion and comparison of a set of pilot case studies. The case studies have been selected as representative of specific migration systems.**

We have defined a **migration system** as a set of sending and receiving countries that experience similar in- and out-flows and share some common socio-economic and political features. We consider the **migration project** of the individual migrant (and her/his family) as ongoing, starting before departure from the country of origin and covering at least the first five years of settlement in the country of destination. We also take into account that the migration project may involve repeated movements and a circular pattern of mobility between the country of origin and the country of destination that last over a number of years.

In the workshop **we have compared among 4 migration systems and 13 cases** of specific migrant groups in specific host countries, distributed more or less evenly among the 4 selected systems. The cases have been selected because they share some features that allow for meaningful systematic comparison. They also, however, reflect a variety of migration experiences, histories and sender-reception ties that casts light to the ramifications that exist within each migration system.

- More specifically, we have considered:
- **a European East-West migration system** encompassing Eastern European sending countries and EU member states as hosts (Poles in Germany and Greece, Ukrainians in Italy, Hungary and Poland);
 - **a Mediterranean system** including North African sending countries (e.g. Morocco) and EU receiving states (in Belgium, France and Spain);
 - **a Middle East-Europe system** encompassing Turkey or Middle Eastern sending countries and EU member states as hosts (Turks in the Netherlands and Britain); and
 - **a Central-North American system** including Central America/the Caribbean as senders and the USA and Canada as hosts (Mexicans in the USA-California, in USA-Missouri and in Toronto, Canada).

Each participant has presented their pilot study on a specific host country and immigrant group focusing on the following aspects:

They distinguished between the **different types of migration** from a given sending country to a given reception society (including high skill legal migration, undocumented low skill commuting migration, economic migrants traveling as families, co-ethnic migration, family formation migration, family reunification migration, asylum seeking).

Adopting **a grounded theory approach**, each partner presented a pilot study of a small sample of individual cases that exemplify the main migration types concerning the specific group in their country. In analyzing the immigrants' narratives of their experiences, we checked for the impact of the **relevant immigration control/management and immigrant integration policies**.

Workshop participants discussed in their papers the relevance of **actual nodal points** where a migrant's plan was affected (either directly or indirectly) by a specific policy and the reasons that led to this. We checked for **missed nodal points**, namely points where a policy existed that could have affected the migrant's decision but it did not for a variety of structural or individual reasons. Finally, we identified **ignored nodal points**. These involved cases where the migrant knew about the policy, the policy affected her/his life, but eventually the immigrant adopted one or more strategies to consciously avoid/bypass the policy and its effects.

The approach adopted at the workshop was interdisciplinary as contributions came from scientists with different disciplinary backgrounds including anthropology, sociology, migration studies, social policy, social psychology and political science. We have adopted a political science approach in analysing issues of policy design, policy implementation and governance, while we have adopted a sociological and anthropological perspective in addressing the concrete individual/family experiences of migrants. We have questioned the importance of human agency (on the part of migrants and on the part of public administration officers) as well as the role of structure (migration policies, institutions that implement them, labour markets and political structures).

The workshop had a strong comparative vocation as it compared between countries/cases within migration systems and between migration systems. Common migrant groups of reference were chosen to enhance the possibility for comparison

The EU currently includes traditional migration countries, relatively newer migration countries that have experienced migration over the past couple of decades, and countries that are now beginning to experience the very first arrivals of migrants. Gaining some insight as to the meeting points between migration policies and immigrant plans has been useful in seeking to assess how migration policies work, if they do. Our workshop and the new research questions that we raise below contribute to our understanding factors that may influence migration trends in current European societies.

The participation of three partners from non-ESF countries (USA and Canada) has been of special importance as it allowed to make comparisons between European and North American experiences.

Discussion during the workshop concentrated on the following points proposed by the convenor at the outset:

- a) which nodal points (if any) they have identified in their case studies – if no nodal points appear to be relevant please comment whether the notion is useful or not?
- b) what ignored nodal points are relevant in their case study – comment shortly
- c) what kind of information did they specifically use and/or what kind of information did they specifically miss and why?
- d) what is the role of professional networks (smugglers and others) in irregular/regular migration
- e) what is the role of informal networks (kinship, ethnic networks, others)
- f) Please provide for a migrant typology for your case study
- g) What is the relevance of the local/regional context for the enforcement/implementation of migration and migrant policies
- h) What are the effects of enforcement on migrants (do they change their plans or do they simply change their strategy to achieve the initial plan?)

During the presentation of the case studies and following their discussion we have identified the following dimensions for comparison and further research

Migrant agency and nodal points: Migrants pick and chose their ‘nodal points’ in line with their knowledge, wishes and needs.

Ignored nodal points: The **anticipation of policy reform** and the **enforcement** of a particular policy appear to be more important in influencing and shaping migrants’ plans than the actual policy itself. Whenever a policy interferes too much in the “survival” strategy of the migrant, that policy may be ‘felt’ but it tends to be ‘ignored.’

The ‘professionals’ of irregular migration – an important link in the migration chain: Ignored policies or policy implementation gaps leave wide room for organised criminal networks, informal networks or simply ‘irregular migration professionals’ to ‘assist’ undocumented workers to legalise their status, find employment and housing.

The fluidity of migrant typologies: Conditions of life and migrant status: people move in and out of regularity demarcations with remarkable ease. They may also move in and out

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3. Assessment of the results, contribution to the future direction of the field

The dimensions for comparison and further study cited above were critically discussed and some new research questions were raised to be developed in a future larger project:

- **Potential nodal point** – when there is a policy that would affect the migrant’s life and plans, the migrant knows about it but does not take the opportunity up.
- **Perhaps the notion of nodal points is misleading as migration is about processes.** It is difficult to identify the nodal point as a point in time/space.
- **Migration policies:** the discrepancy between stated aims and ‘real’ aims or hidden aims. Also we should distinguish between receiving countries that have pro-active migration management policies and those countries that only have reactive policies.
- **The role of information:** Policy has effects on migrants’ plans and actions. However these effects are mediated through information but not only. A question that arises is how do people process the information?
- **More specifically: what does ‘information’ or ‘knowledge’ mean** with regard to the migrant. It is usually not specific and systematic information about policy details (permits, procedures, access to services) but rather a narrative about ‘how it is done’ and about the idea that ‘somebody like me can do it’
- **Who has an interest in improving the flow of information:** the migrants? Their networks (professional and non professional)? The state? A flow of information mediated through the networks increases the migrants’ dependency from them – also networks may provide erroneous information
- **Migration typologies** are constructed on the basis of migration categories not necessarily on the basis of migrants’ motivations which can be multiple and dynamic – and not reflect their formal migration status.
- **Migrant agency towards a given set of policies / a legal framework that is there:**
 - **Positive use of the legal rule:** to make profit from two national legal frameworks (for instance through circulation; through resources provided by RME policy...)
 - **Bypass:** migrants bypass a legal rule by using another legal rule
 - **Mobilization:** migrants protest against the legal rule
 - **Illegality:** migrants appeal to smugglers and find jobs in the black market
 - **Discouragement:** migrants return or migrants do not emigrate, migrants decide to use France as a transit destination
 - **Failure of the migratory project:** migrants are forced to return, die or wound themselves during the trip...
- **Locality** as a context for governance, policy implementation but also meaning creation.

4. Final programme of workshop

Thursday 2 October 2008

Morning session

- 09.30-10.00 Welcome by Anna Triandafyllidou
Welcome address by ESF Representative.
- 10.00-11.30 Presentation of the five case studies that are part of the East-West Europe migration system: Germany, Greece (Poles) / Hungary, Italy, Poland (Ukrainians).
Each presentation should last 30'. There will be a 10' presentation of the case by the national partner and then 20' for questions and discussion.
- 11.30-12.00 *Coffee/Tea break*
- 12.00-13.00 Continuation of previous session
- 13.00-13.30 **Dimensions for comparison and further research:**

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13.30-14.30 *Lunch*

Afternoon session

14.30-16.00 Presentation of the three case studies that are part of the North Africa-Europe migration system: France, Spain and Belgium (Moroccans) (the same 10' presentation 20' discussion schedule applies)

16.00-16.30 *Coffee/Tea break*

16.30-17.00 Discussion of comparative insights (see above for details)

17.00-18.00 Presentation of the two case studies that are part of the Middle East-Europe migration system: Netherlands, UK (Turks) (the same 10' presentation 20' discussion schedule applies)

18.00-18.30 Discussion of comparative insights (for details see above)

Friday 3 October 2008

Morning session

9.30-11.00 Presentation of the three case studies that are part of the Central America/Caribbean-North America migration system: USA (California and Missouri cases), Canada.

11.00-11.30 *Coffee/Tea Break*

11.30-12.00 Discussion of comparative insights (for details see above)

12.00 – 13.30 *Lunch*

13.30- 16.30 Conceptual and comparative discussion based on the case-studies:

- Can we construct a migration typology that is valid across migration systems?
- What migration types are relevant for each country and for each group of migrants?
- Which policies stand out as of particular relevance for the making and change of migrants' plans?
- What are the differences between the three Europe-related systems? Are the relevant policies the same or different?
- Are the differences more destination country-related or country of origin-related?
- What is the role of information and who are the information agents used by migrants?
- What are the differences and similarities between the American migration system and the three Europe related systems?

- What should be the focus of specific research hypotheses to be explored as part of a larger project?
- What is our conceptual feedback to refining the notions of: migration system and migration project.
- What are our policy relevant findings with regard to the governance of international migration?

16.30-17.30 Plans for further fundraising.

End of workshop

5. Statistical information on participants (age structure, gender repartition, countries of origin, etc.)

18 participants in total

Age

Age group	20-35	35-50	50-65
Number of participants	8	7	3

Gender

No of participants / Gender	Men	Women
	4	14

Countries of origin

(referring to countries of work/institutional affiliation, not nationality):

Europe			North America	
Central Eastern	Southern	Western/Northern	USA	Canada
2	7	5	3	1

6. Final list of participants (full name and affiliation)

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