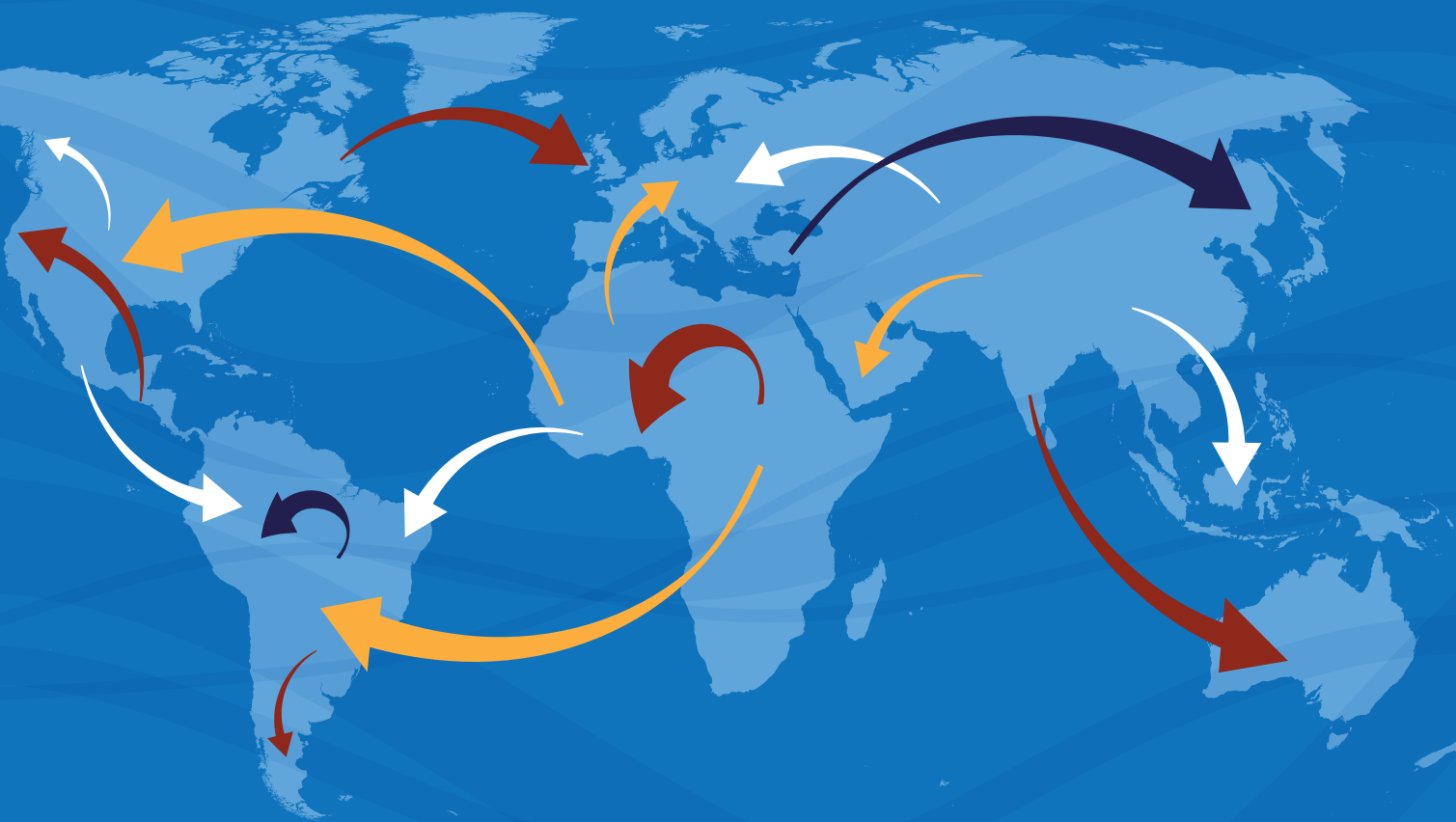


E c o n o m i c &

S o c i a l A f f a i r s

# International Migration Policies: Government Views and Priorities



United Nations



**DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS**  
**POPULATION DIVISION**

# **International Migration Policies**

## **Government Views and Priorities**



**United Nations**  
**New York, 2013**

# DESA

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The term “country” as used in the text of this publication also refers, as appropriate, to Observer States and non-member States of the United Nations.

The size and direction of arrows on the cover of this publication are stylized, and not intended to indicate the actual magnitude or direction of migration flows.

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## PREFACE

The report *International Migration Policies: Government Views and Priorities* delineates Governments' views and policies concerning international migration for 196 countries, including all 193 Member States of the United Nations, one Observer State (the Holy See) and two non-member States (Niue and Cook Islands). This report provides information on levels and trends in international migration, policies to influence the level of immigration, policies to promote immigration of highly skilled workers, policies to foster the integration of migrants into the host society, including naturalization policies, and other policies designed by Governments in countries of origin, such as policies on emigration, acceptance of dual citizenship, policies to encourage the return of citizens, and measures to promote involvement of diaspora in countries of origin. The report also discusses issues related to irregular migration, human trafficking and refugees.

All the United Nations international population conferences held since 1974 have emphasized monitoring the implementation of their goals and recommendations. The systematic monitoring of population policies at the international level began after the World Population Plan of Action adopted at the World Population Conference held at Bucharest in 1974.<sup>1</sup> The Plan of Action, the first global intergovernmental instrument on population policy, called upon the United Nations to monitor national population trends and policies. The most recent United Nations population conference, the International Conference on Population and Development, held at Cairo in 1994, recommended that actions be taken "to measure, assess, monitor and evaluate progress towards meeting the goals of its Programme of Action".<sup>2</sup>

The Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat is responsible for providing the international community with up-to-date, accurate and scientifically objective information on population and development. The Population Division provides guidance to the United Nations General Assembly, the Economic and Social Council, and the Commission on Population and Development on population and development issues. In addition, the Division undertakes studies on population levels and trends, population estimates and projections, population policies, and population and development interrelationships. The Population Division has been implementing the *United Nations Inquiry among Governments on Population and Development* every five years since 1963 to gather information about Governments' views and policies about population issues.

The responsibility for preparation of this report rests with the Population Division of the Department of Economic and Social Affairs. The report is based primarily on two major sources of data compiled by the Population Division: the World Population Policies Database and the Global Migration Database. Detailed information about these data sources is available from the website of the Population Division ([www.unpopulation.org](http://www.unpopulation.org)). Compilation of these data was facilitated by the cooperation of Member States and non-member States of the United Nations, the regional commissions, and the agencies, funds and programmes of the United Nations system.

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<sup>1</sup> *Report of the United Nations World Population Conference, Bucharest, 19–30 August 1974* (United Nations publication, Sales No. E.75.XIII.3), chap. I.

<sup>2</sup> *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex, para. 13.6.

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The work on this report was led by the Policy Section of the Population Division.

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## HIGHLIGHTS

International migration is a global phenomenon that is growing in complexity, scope and impact. Today, most countries are simultaneously countries of origin, destination and transit of migrants, so that countries in both less and more developed regions face various challenges and opportunities associated with migration. Since the International Conference on Population and Development (ICPD) in 1994, there has been a growing consensus that migration is an integral feature of global development in both sending and receiving countries. Most recently, the 2013 High-level Dialogue on International Migration and Development has reaffirmed the importance of migration for development.

Migration policies play an important role in determining the flows, conditions and consequences of international migration. Using the information gathered in the World Population Policies Database for all Member and non-member States of the United Nations, this report describes Government views and policy priorities related to immigration and emigration, and how these have evolved in recent years with changing international migration patterns. The highlights of the report are listed below:

## TRENDS IN INTERNATIONAL MIGRATION

- In 2013, the number of international migrants worldwide reached 232 million, up from 154 million in 1990. Currently, the global population of international migrants is growing at about 1.6 per cent per year. Between 1990 and 2013, the migrant stock has increased more than twice as fast in the global North (by 53 million) as in the global South (by 24 million).
- The origin of international migrants has become increasingly diversified over the past two decades. By 2013, South-South migration was as common as South-North migration. Between 1990 and 2013, the migrant stock born in the global South and residing in the global North doubled—from 40 million to 82 million, while that from South to South increased from 59 million to 82 million.
- In 2013, 23 per cent of all international migrants in the world (54 million) were born in the North and resided in the North, whereas only 6 per cent of all migrants (14 million) who were born in the North resided in the South.
- Major regions of the world account for different shares of the global stock of immigrants and emigrants. In 2013, Europe hosted 31 per cent of the global migrant stock, whereas it was the origin of 25 per cent of all emigrants (of whom 65 per cent were living within Europe). In comparison, Asia and Northern America hosted 31 and 23 per cent of the global migrant stock, respectively, while they were the origin of 40 per cent and 2 per cent of all emigrants.

## IMMIGRATION POLICIES

- A growing number of Governments have shown openness to regular immigration in the last two decades. In 2011, among the 195 countries with available data, a large majority of Governments (73 per cent) either had policies to maintain the current level of immigration or they were not intervening to change it, while 16 per cent had policies to lower it and 11 per cent had policies to raise it.
- At the global level, the percentage of Governments with policies to lower immigration declined from 40 per cent in 1996 to 16 per cent in 2011, while the percentage seeking to raise immigration increased from just 4 per cent in 1996 to 11 per cent in 2011.

- The receiving countries have shown greater selectivity towards highly skilled workers. A growing number of Governments have adopted policies to raise the immigration of highly skilled workers. The percentage of Governments with policies to raise the immigration of highly skilled workers increased from 22 per cent in 2005 to 39 per cent in 2011.
- In 2011, few Governments had policies to raise immigration for permanent settlement (6 per cent) or for family reunification (9 per cent). On the contrary, more than three quarters of all Governments had policies to maintain their current levels of immigration for permanent settlement and family reunification or they were not intervening to influence them.

## **POLICIES TO ENCOURAGE INTEGRATION, NATURALIZATION AND RETURN OF MIGRANTS**

- The majority of Governments recognize that successful integration of migrants into the host society is essential to maximize the opportunities afforded by migration. Globally, 62 per cent of Governments had policies in place in 2011 to promote the integration of non-nationals, an increase from 44 per cent in 1996.
- In 2011, 91 per cent of Governments in more developed regions had policies to promote integration of non-nationals, compared with less than one half of Governments in less developed regions (47 per cent) and less than one third in least developed countries (29 per cent).
- In 2011, 65 per cent of all Governments in the world had less restrictive naturalization policies, and another 32 per cent allowed naturalization under more restrictive conditions. Five countries—Kuwait, Lebanon, Myanmar, Nauru and the United Arab Emirates—did not allow naturalization under any conditions. Seventy-eight per cent of Governments in more developed regions allowed less restrictive acquisition of naturalized citizenship in 2011, compared with 61 per cent of Governments in less developed regions and 47 per cent of least developed countries.
- Among 58 countries with available data in 2011, 40 countries had programmes to facilitate the return of migrants to their home countries. Thirty-two out of 40 countries with data in more developed regions had such programmes, compared with 8 out of 18 countries with data in less developed regions.

## **EMIGRATION POLICIES**

- In 2011, one out of four Governments worldwide had policies to lower the level of emigration, two thirds desired to maintain the current level of emigration or did not intervene to influence emigration, and the remaining 9 per cent had policies to encourage emigration.
- Since the mid-1990s, the proportion of Governments with policies to lower emigration has remained virtually unchanged, while the proportion with policies to raise emigration has increased steadily.
- A growing number of Governments have instituted policies to encourage the return of their citizens. The proportion of countries with such policies has increased consistently since the mid-1990s, from 43 per cent in 1996 to 51 per cent in 2005, and 63 per cent in 2011.
- In 2011, slightly over half of all Governments (53 per cent) had policies that allowed their citizens abroad to retain their citizenship of origin without restriction when acquiring a second country's citizenship, another 19 per cent allowed dual citizenship under certain conditions, and the remaining 28 per cent did not have any provisions to allow dual citizenship. A much smaller proportion of

Governments in more developed regions had a total prohibition of dual citizenship (12 per cent) than in less developed regions (34 per cent) or least developed countries (37 per cent).

- Many Governments have set up diaspora units and implemented policy measures to encourage investment by diaspora. In 2011, out of the 144 countries with available data, 114 countries had established special governmental units to deal with the matters of interest to emigrants and their families living abroad.
- Among the 101 countries with available data in 2011 on measures to attract investment by diaspora, only 46 countries had instituted at least one of the six key measures. Among these, streamlined bureaucratic procedures for investment and provision of tax exceptions or breaks were the most frequently adopted measures (23 per cent and 19 per cent of the countries, respectively). Governments in less developed regions were more likely to have adopted diaspora investment measures than those in more developed regions.

## **IRREGULAR MIGRATION, HUMAN TRAFFICKING AND REFUGEES**

- The actual number of migrants in irregular situation is difficult to determine, but it is believed to be significant. Irregular migration is a major concern for countries of origin, transit and destination of international migrants.
- In 2011, out of 146 countries with data, three out of four Governments viewed irregular migration in their countries as a major concern. Governments of 22 of the 25 countries with the largest migrant stocks regarded irregular migration as a major concern. A growing number of Governments have responded to address irregular migration by reforming their immigration laws, promoting the return of irregular migrants and implementing regularization programmes.
- Smuggled migrants and victims of trafficking are extremely vulnerable to severe infringements to their human rights. The exact number of victims of human trafficking is not known. In 2012, the International Labour Organization estimated that globally 20.9 million people were victims of forced labour, which included victims of human trafficking.
- According to the United Nations Office on Drugs and Crime, between 2007 and 2010, people from at least 136 different nationalities were trafficked and detected in 118 countries. During this time, women accounted for 55–60 per cent of all trafficking victims detected globally, and 27 per cent of all victims were children.
- Refugees and asylum seekers constitute an important component of migration flows. By the end of 2012, an estimated 15.4 million people were refugees, including 10.5 million under the mandate of the Office of the United Nations High Commissioner for Refugees (UNHCR) and 4.9 million Palestinian refugees registered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Another nearly 1 million (937,000) people were asylum seekers.



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## DEFINITIONS OF MIGRATION POLICY VARIABLES

Variable name	Variable definition	Response categories
<i>View on immigration</i>	Indicates how the Government perceives the overall level of documented or regular immigration into the country. It includes immigration for permanent settlement, temporary work or family reunification. Government views towards asylum seekers, refugees and undocumented immigrants are not considered.	Too low Satisfactory Too high
<i>Policy on immigration</i>	Indicates Government's policy to influence the level of documented immigration into the country.	Raise Maintain Lower No intervention
<i>Policy on permanent settlement</i>	Indicates Government's policy to influence the level of immigration for permanent settlement into the country.	Raise Maintain Lower No intervention
<i>Policy on highly skilled workers</i>	Indicates Government's policy to influence the level of immigration of highly skilled workers into the country. Highly skilled migrants generally include highly qualified workers with post-secondary technical or professional education or job experience, especially with qualifications or skills in demand in the host country.	Raise Maintain Lower No intervention
<i>Policy on temporary workers</i>	Indicates Government's policy to influence the level of immigration of temporary workers into the country. Temporary labour migration may include seasonal workers, contract and project-linked workers, guest workers and other cross-border workers that are admitted for a fixed duration without the expectation of obtaining permanent resident status.	Raise Maintain Lower No intervention
<i>Policy on family reunification</i>	Indicates Government's policy to influence the level of immigration for family reunification. Migration for family reunification mostly includes family members considered dependants, usually the spouse and minor children (even if the spouse is not financially dependent).	Raise Maintain Lower No intervention

<b>Variable name</b>	<b>Variable definition</b>	<b>Response categories</b>
<i>Policy on integration of non-nationals</i>	Indicates whether the Government has policies or programmes aimed at integrating non-nationals into society. These may include provisions for social services, involvement in civil and community activities, language training, and legal provisions to ensure non-discrimination of foreigners.	Yes No
<i>Policy on naturalization</i>	Indicates whether there are legal provisions to allow immigrants to become naturalized citizens under certain conditions. Countries where naturalization was available to only certain categories of immigrants or where the residency requirement was 10 years or longer were categorized as having “more restrictive” naturalization policies.	Yes, less restrictive Yes, more restrictive No
<i>Programmes to facilitate return of migrants to their home countries</i>	Indicates whether the Government has instituted programmes to encourage or facilitate the return of immigrants to their home countries. Such programmes may include assisted return programmes and schemes to reintegrate return migrants in their countries of origin.	Yes No
<i>Level of concern about irregular migration</i>	Indicates the extent to which the Government considers the undocumented or irregular immigration into the country to be a concern. Migrants in irregular situation are those who have either entered a country without proper documents or authorization or who have stayed beyond their authorized time period. Government’s concerns about its own citizens living abroad in irregular conditions are not considered.	Major concern Minor concern Not a concern
<i>View on emigration</i>	Indicates how the Government perceives the level of emigration from the country.	Too low Satisfactory Too high
<i>Policy on emigration</i>	Indicates Government’s policy to influence the level of emigration from the country.	Raise Maintain Lower No intervention

<b>Variable name</b>	<b>Variable definition</b>	<b>Response categories</b>
<i>Acceptance of dual citizenship</i>	Indicates whether the Government permits its citizens to retain their original citizenship upon acquiring citizenship of another country, and if yes, under what conditions or restrictions. The conditions may refer to (i) the countries involved (acceptance of dual citizenship when some specific countries are involved but not others) or (ii) the rights involved (acceptance of dual citizenship with some restrictions to full citizenship rights).	Yes, non-restrictive Yes, restrictive No
<i>Policy to encourage the return of citizens</i>	Indicates whether the Government has instituted policies or programme initiatives to encourage the return of their citizens living abroad.	Yes No
<i>Special governmental unit dealing with diaspora</i>	Indicates whether the Government has a special unit, department or ministry to deal with the matters concerning the country's diaspora.	Yes No
<i>Measures to attract investment by diaspora</i>	Indicates specific policy measures, including financial incentives that the Government has adopted to encourage or facilitate investment in the country by their diaspora.	1. Tax exceptions or breaks 2. Reduction of tariffs on goods or import duties for diaspora companies 3. Preferential treatment in providing credit 4. Preferential treatment in allotment of licences 5. Streamlined bureaucratic procedures for investment 6. Diaspora bond/mutual fund  None of these



## EXPLANATORY NOTES

*International Migration Policies: Government Views and Priorities* provides information on Governments' views and policies related to immigration and emigration for 196 countries, including all 193 Member States, one Observer State (the Holy See) and two non-member States (Cook Islands and Niue) of the United Nations.

Countries are grouped geographically into six major areas: Africa; Asia; Europe; Latin America and the Caribbean; Northern America; and Oceania. Those major areas are further divided geographically into 21 regions. In addition, the regions are classified as belonging to either of the two general groups: more developed and less developed regions.

The more developed regions comprise all regions of Europe plus Northern America, Australia, New Zealand and Japan. The terms "more developed regions" and "developed regions" are used interchangeably. Countries in more developed regions are also denominated "developed countries" or "North".

The less developed regions comprise all regions of Africa, Asia (excluding Japan), Latin America and the Caribbean plus Melanesia, Micronesia and Polynesia. The terms "less developed regions" and "developing regions" are used interchangeably. Countries in less developed regions are also denominated "developing countries" or "South".

The designations "developed" and "developing" countries, "developed" and "developing" regions, "more developed" and "less developed" regions, and "North" and "South" are intended for statistical convenience and do not necessarily express a judgment about the stage reached by a particular country or area in the development process.

The least developed countries include 49 countries (34 in Africa, 9 in Asia, 5 in Oceania and 1 in Latin America and the Caribbean), as defined by United Nations General Assembly resolutions 59/209, 59/210, 60/33, 62/97, 64/295 and 67/136: Afghanistan, Angola, Bangladesh, Benin, Bhutan, Burkina Faso, Burundi, Cambodia, Central African Republic, Chad, Comoros, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, the Gambia, Guinea, Guinea-Bissau, Haiti, Kiribati, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mozambique, Myanmar, Nepal, Niger, Rwanda, Samoa, Sao Tome and Principe, Senegal, Sierra Leone, Solomon Islands, Somalia, South Sudan, Sudan, Timor-Leste, Togo, Tuvalu, Uganda, the United Republic of Tanzania, Vanuatu, Yemen and Zambia.

The term "country" as used in this publication also refers, as appropriate, to Observer States and non-member States of the United Nations.

Symbols of United Nations documents are composed of capital letters combined with figures.

Use of en dash (–) between years, for example, 2005–2010, signifies the full period involved, from 1 July of the starting year to 1 July of the ending year.

Use of en dash (–) between any other pair of numbers, for example, dates: 5–13 September and page numbers: pp. 90–101, signifies the full range inclusive of both the starting and the ending numbers.

Use of “n.d.” indicates that no publication date was available for the citation, as is often the case for information obtained from websites.

Percentages in tables and figures do not necessarily add to 100 per cent because of rounding.

## INTRODUCTION

The world has witnessed a remarkable growth in international migration since around the time of the International Conference on Population and Development (ICPD) in 1994, both within and between less developed and more developed regions. The global stock of international migrants is estimated to have more than doubled since the year 2000 (United Nations, 2013). In an increasingly interconnected and interdependent world, with improved means of transportation and communication, international migration has been growing in not only magnitude but also scope, complexity and impact. Today, most countries are simultaneously countries of origin, transit and destination of migrants. Countries in both less and more developed regions face various challenges and opportunities associated with migration. Much of the growth in international migration has been regular migration, typified by the mobility of workers and their family members. The magnitude of undocumented migrants or migrants in irregular situation<sup>3</sup> has also increased, while there are growing concerns that dislocations caused by environmental degradation and climate change could add to involuntary movements of people across international borders in the coming decades.

There has been a growing consensus that migration is an integral feature of global development. It is generally recognized that, if properly managed, migration can contribute to poverty reduction and improvements in human well-being in both sending and receiving countries. In sending countries, emigration can boost development through the beneficial use of remittances and diaspora investments, the alleviation of labour market pressures, and the contributions of the diaspora through knowledge, technology and skills transfer (Global Migration Group, 2010). Returnees can also contribute to their countries of origin through innovation and investment capacities acquired abroad. Destination countries, on the other hand, can benefit from immigration through the alleviation of labour shortages, stimulation of job growth, and innovative behaviour of immigrants. International migration also contributes to social, cultural and value exchanges between origin and destination countries. However, if not well managed, international migration can also have negative consequences, such as the loss of valuable human resources and skills in countries of origin or rising xenophobia, which can lead to poor integration, discrimination, exploitation or even abuse in countries of destination (IOM, 2010).

The Programme of Action of the ICPD recognized migration as an intrinsic part of global development and encouraged “cooperation and dialogue between countries of origin and countries of destination in order to maximize the benefits of migration for the development of both sending and receiving countries” (United Nations, 1995). The first High-level Dialogue on International Migration and Development in 2006 reaffirmed that “international migration could be a positive force for development in both countries of origin and countries of destination, provided that it was supported by the right set of policies” (United Nations, General Assembly, 2006). In the recently concluded second High-level Dialogue on International Migration and Development in 2013, Governments have adopted a Declaration that has re-emphasized the

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<sup>3</sup> Migrants in irregular situation are those who have either entered a country without proper documents or authorization or who have stayed beyond their authorized time period.

importance of international migration for development and reaffirmed the commitment of all Member States to promote and protect the human rights of all migrants, regardless of their migration status (United Nations, General Assembly, 2013a). Moreover, the United Nations has outlined an eight-point agenda for action on migration that emphasizes the protection of the human rights of migrants, including action against human trafficking, and provides a framework for integrating migration into the post-2015 development agenda (United Nations, General Assembly, 2013b).

Migration policies in both origin and destination countries, as well as patterns and degrees of international cooperation, play an important role in determining the flows, conditions and consequences of international migration. In managing international migration flows, Governments typically focus on different types of migrants, of which the most salient are migrant workers, including highly skilled workers, dependants of migrant workers, migrants in irregular situation, and refugees and asylum seekers. Moreover, increasing attention is being paid to transnational communities or diasporas, because of their potential role in the development of countries of origin (OECD, 2006). There is general consensus that the contribution of international migrants to development in both countries of origin and destination depends crucially on policies to ensure that migration occurs in safe and legal conditions, with full respect and safeguards for the human rights of migrants.

This report describes Government views and policy priorities related to immigration and emigration, and how these have evolved along with changing international migration patterns since around the time of the ICPD. It provides information on regular and irregular migration, policies to promote immigration of highly skilled workers, policies to foster the integration of migrants into the host society, including naturalization policies, and other policies designed by Governments in countries of origin, such as policies on emigration, acceptance of dual citizenship, policies to encourage the return of citizens, and measures to promote involvement of diaspora in countries of origin.

The report is based primarily on information available from the World Population Policies Database. The Database, updated biennially, provides information on Government views and policies with respect to population size and growth, age structure, fertility, reproductive health and family planning, health and mortality, spatial distribution and internal migration, and international migration for all Member, Observer and non-member States of the United Nations.

The information on Government views and policies is compiled by the Population Division of the United Nations using four broad types of sources: 1. official Government responses to the *United Nations Inquiry among Governments on Population and Development*, which has been conducted every five years since 1963 to gather information from all Governments on their views and policies related to population issues; 2. publications, documents, statements and other materials issued by Governments, including development plans, sectoral programmes, laws, regulations and proclamations; 3. materials provided by international organizations, such as regional commissions, funds, programmes and agencies of the United Nations system, as well as other regional intergovernmental organizations; and 4. materials from non-governmental sources, including articles in academic journals, proceedings of conferences and seminars, reports and studies prepared by research centres and non-governmental

organizations, clippings from the world press, as well as correspondence and personal communication with experts.

The report also uses information available in the Global Migration Database, which provides estimates of the number (stock) of international migrants by country of birth and citizenship, sex and age for more than 200 countries and areas in the world. Detailed information about the World Population Policies Database and the Global Migration Database is available from the website of the Population Division ([www.unpopulation.org](http://www.unpopulation.org)).

The report is divided into five chapters: Chapter 1 provides a brief overview of global and regional patterns and trends in international migration, as well as characteristics of international migrants; Chapter 2 presents information about Government views and policy objectives on immigration in their countries, including policy objectives related to migration for permanent settlement, temporary labour migration, migration for family reunification and migration of highly skilled workers; Chapter 3 provides a description of Government policies on integration of non-nationals, policies on naturalization and policies to facilitate the return of migrants to their home countries; Chapter 4 describes Government views and policies on the level of emigration, as well as policies on acceptance of dual citizenship, policies to encourage the return of citizens, and measures to attract investment by diaspora; and Chapter 5 provides estimates of migrants in irregular situation, victims of human trafficking and refugees. It also discusses Government concerns about irregular migration, and major conventions with respect to human trafficking and refugees and asylum seekers.



# 1. TRENDS IN INTERNATIONAL MIGRATION

This chapter provides a brief overview of global and regional patterns and trends in international migration since 1990. It also describes selected characteristics of international migrants and the contribution of migration to overall population change.

## 1.1. OVERALL TRENDS IN INTERNATIONAL MIGRATION

The total estimated number of international migrants<sup>4</sup> in the world (global migrant stock) has increased from 154 million in 1990 to 232 million in 2013, and is expected to continue to rise in the foreseeable future (United Nations, 2013). Although this represents a considerable increase in the global migrant stock, the percentage of international migrants compared to the global population has changed only slightly in the 23-year period, from 2.9 per cent in 1990 to 3.2 per cent in 2013. Between 1990 and 2013, the migrant stock has increased more than twice as fast in countries in more developed regions (by 53 million) as that in countries in less developed regions (by 24 million).

Between 1990 to 2013, the migrant stock born in the global South and residing in the global North has doubled—from 40 million to 82 million. Over the same period, the migrant population from the South and residing in the South grew from 59 million to 82 million.

Despite a more rapid rise in the number of international migrants living in the North in the past two decades, South-South migration was as common as South-North migration (figure 1.1). In 2013, more than one third (36 per cent or 82.3 million) of the global migrant stock originated in the South and was living in the South, and a similar proportion (35 per cent or 81.9 million) of the global migrant stock was born in the South but resided in the North. Further, about one quarter (23 per cent or 53.7 million) of all international migrants in the world were born in the North and resided in the North. The percentage of international migrants who were born in the North but resided in the South was relatively small (only 6 per cent of all international migrants or 13.7 million).

South-North migration is usually driven by income disparities, geographic proximity and historical links such as common language and colonial ties. However, in the case of South-South migration, income differentials are relatively modest, and the role of income seems more complex as proximity and networks are more likely to have a greater impact (Ratha and Shaw, 2007). Among the middle-income countries,<sup>5</sup> for example, Argentina, the Bolivarian Republic of Venezuela and Chile attract migrants from Bolivia, Paraguay and Peru; Malaysia draws migrants

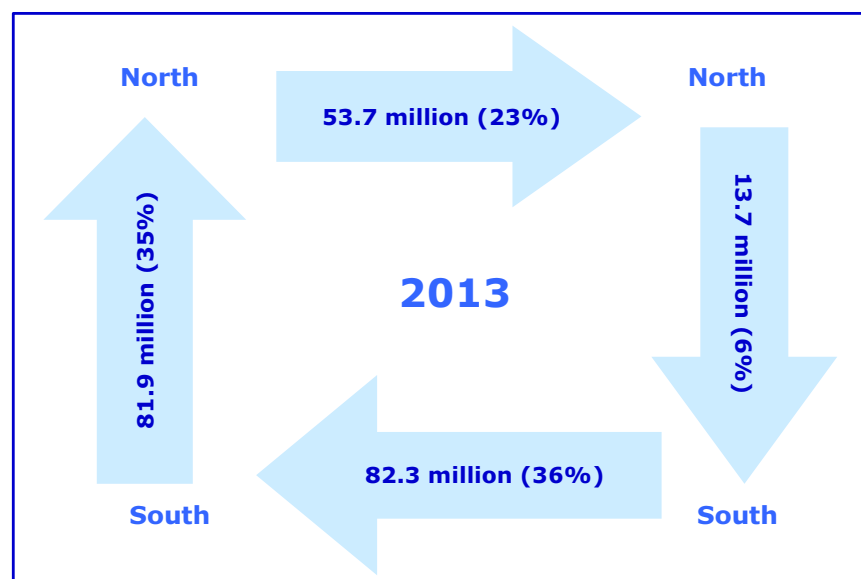
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<sup>4</sup> The number of international migrants is defined as the midyear (1 July) estimate of the number of people living in a country other than that in which they were born. If the number of foreign-born was not available, the estimate refers to the number of people living in a country other than that of their citizenship.

<sup>5</sup> The World Bank classification of countries into low-income, middle-income and high-income groups is based on gross national income (GNI) per capita (World Bank, n.d.). More information is available from <http://data.worldbank.org/about/country-classifications>.

from Indonesia; and South Africa attracts people from Lesotho, Mozambique, Namibia and Zimbabwe (Ratha and Shaw, 2007).

**Figure 1.1. Distribution of international migrants by origin and by destination, 2013**



Source: United Nations, Global Migration Database. <http://esa.un.org/unmigration/>.

Substantial migration also occurs among the low-income countries. For example, Burkina Faso has been a source of labour migration to the neighbouring countries of Côte d'Ivoire and Ghana. Moreover, seasonal migration may occur regardless of income disparities. For example, Nepalese farmers cross into north-east India during planting and harvesting seasons (Khadria, 2005). Seasonal migration also occurs in South-North migration, as exemplified by Mexican farm workers moving to the United States of America during the harvest season (Ratha and Shaw, 2007).

## **1.2. REGIONAL DIFFERENTIALS IN INTERNATIONAL MIGRATION**

Major regions of the world account for different shares of the global stock of immigrants and emigrants (figure 1.2). For example, in 2013, Europe hosted 31 per cent of the global migrant stock, whereas it was the origin of 25 per cent of all emigrants (of whom 65 per cent were living within Europe). In comparison, Asia and Northern America hosted 31 and 23 per cent of the total migration stock, respectively, while they were the origin of 40 and 2 per cent of all emigrants. Further, the majority of foreign-born from Asia and Oceania (58 per cent each) remained within Asia and Oceania, whereas 71 per cent of foreign-born from Latin America and the Caribbean resided in Northern America.

**Figure 1.2. International migrant stock (millions) by major area of origin and destination, 2013**

		Origin								
Destination		Africa	Asia	Europe	LA&C	Northern America	Oceania	Various	Total	Retention by destination (%)
	Africa	15.3	1.1	0.8	0.0	0.1	0.0	1.4	18.6	82
	Asia	4.6	53.8	7.6	0.7	0.6	0.1	3.4	70.8	76
	Europe	8.9	18.6	37.8	4.5	0.9	0.3	1.3	72.4	52
	LA&C	0.0	0.3	1.2	5.4	1.3	0.0	0.2	8.5	64
	Northern America	2.0	15.7	7.9	25.9	1.2	0.3	0.0	53.1	2
	Oceania	0.5	2.9	3.1	0.1	0.2	1.1	0.1	7.9	14
	Total	31.3	92.5	58.4	36.7	4.3	1.9	6.4	231.5	
Retention by origin (%)		49	58	65	15	28	58			

Source: United Nations, Global Migration Database. <http://esa.un.org/unmigration/>.

Note: "LA&C" stands for "Latin America and the Caribbean". Retention by destination is calculated as the number of persons residing in a destination (major area) who were also born in the same major area. Retention by origin is calculated as the number of persons from an origin (major area) who were also residing in the same major area.

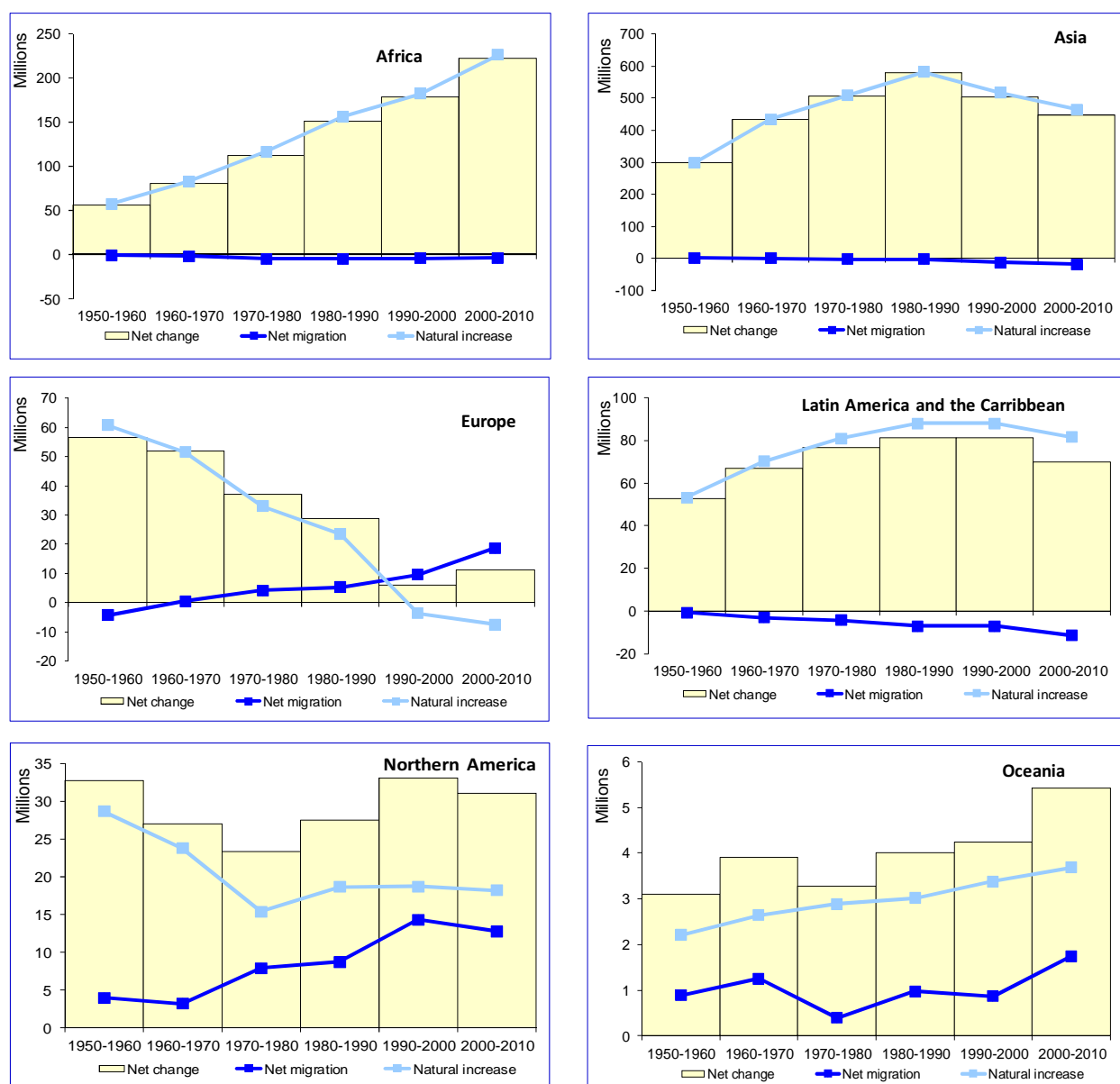
The origin of international migrants has become increasingly diversified over the past two decades. In 2013, India (14 million), Mexico (13 million), the Russian Federation (11 million), China (9 million) and Bangladesh (8 million) were the top five emigration countries. The number of migrants from China living in Africa, Europe, Northern America and Oceania more than tripled between 1990 and 2013, while the number of migrants from Mexico and the Philippines living outside their country of birth has doubled during the same period. Despite the increased diversification of migratory flows, international migration remains highly concentrated. In 2013, of the 232 million international migrants worldwide, more than half were living in just 10 countries, namely, the United States of America (46 million), the Russian Federation (11 million), Germany (10 million), Saudi Arabia (9 million), the United Arab Emirates (8 million), the United Kingdom (8 million), France (7 million), Canada (7 million), Australia (6 million) and Spain (6 million).

### 1.3. CONTRIBUTION OF NET MIGRATION TO OVERALL POPULATION CHANGE

Over time, a population grows and declines due to natural increase (births minus deaths) and net migration (immigrants minus emigrants). Migration affects population change directly by adding to or subtracting from the population in countries of destination and origin. It also affects population indirectly by impacting, for example, mortality and fertility in the respective countries. Given the age selectivity of migration, it also affects the age structure of the population in countries of origin and destination. Although natural increase remains the main component of population change in the majority of countries worldwide, net migration has become increasingly important for countries in more developed regions.

In Europe, where the number of deaths has exceeded the number of births since the late 1990s, positive net migration has so far offset population decline (figure 1.3). In both Northern America and Oceania net migration played a positive and important role in population growth over the last 60 years, a trend that is generally expected to continue. Over the same period, the populations of Africa, Asia and Latin America and the Caribbean continued to grow due to natural increase, however, at a declining rate. Negative net migration was more than offset by natural increase, which will remain the major factor behind population growth in these major regions in the future.

**Figure 1.3. Contribution of natural increase and net migration to population change by major area, 1950–1960 to 2000–2010**



Source: United Nations, Global Migration Database. <http://esa.un.org/unmigration/>.

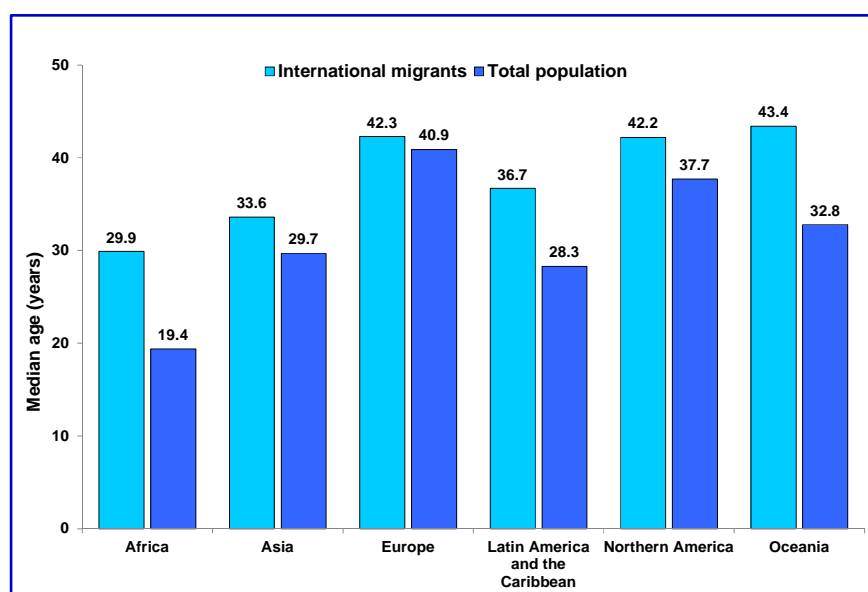
Note: The graphs included in figure 1.3 have different scales.

## 1.4. CHARACTERISTICS OF INTERNATIONAL MIGRANTS

Migration tends to be selective by age, sex, level of education and other characteristics. Migrants tend to be younger and healthier than their non-migrating counterparts. For instance, in a sample of seven European countries, immigrants between 20 and 29 years of age constituted between one third and one half of all immigrants arriving in 2008 and 2009 (Roig et al., 2008).

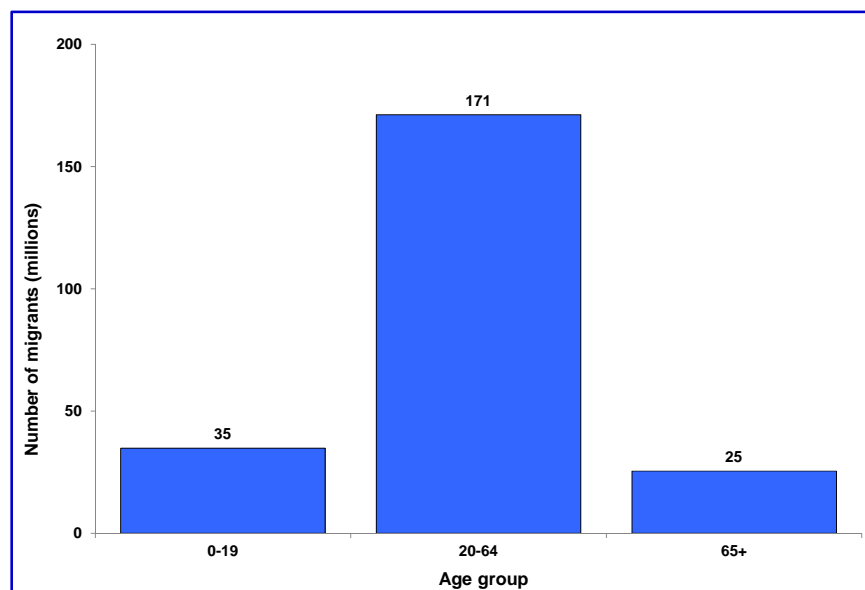
At the global level, in 2013, the median age of all international migrants is 38.4 years, compared with 29.2 years in the total population. The median age of migrants is higher than that of the general population due to a smaller proportion of children among migrants. Moreover, in some destination countries newborns are not considered immigrants (principle of *jus soli*). The median age of migrants is higher in countries in more developed regions (42.2 years) than in less developed regions (33.2 years). Examining by region, international migrants living in Africa and Asia tend to be younger (median age of 29.9 and 33.6 years, respectively) than in Europe, Northern America and Oceania (median age is 42.3, 42.2 and 43.4 years, respectively) (figure 1.4).

**Figure 1.4. Median age of international migrants and total population by major area, 2013**



Source: United Nations, Global Migration Database. <http://esa.un.org/unmigration/>.

Globally, seven out of ten international migrants are of working age (20 to 64 years) (figure 1.5). Because international migrants tend to comprise higher proportions of working-age persons compared to the overall population, migration contributes to reducing old-age dependency ratios (the number of persons aged 65 years or over divided by the number of persons aged 20 to 64 years) in destination countries. Despite this effect, the old-age dependency ratios of countries in more developed regions are projected to continue to increase.

**Figure 1.5. Number of international migrants by age group, 2013**

Source: United Nations, Global Migration Database. <http://esa.un.org/unmigration/>.

Among international migrants worldwide, in 2013, approximately half are women—52 per cent in countries in more developed regions and 43 per cent in less developed regions. Since women often live longer than men, they tend to be overrepresented among older migrants. The large labour movements in Europe and the United States of America in the 1960s and 1970s were male dominated and women and children migrated as dependants. Changes in the migratory behaviour of women first appeared in the 1980s and 1990s with the development of service sector employment and, in particular, the growing need for nurses and teachers. Women are now also likely to seek employment opportunities abroad in domains previously dominated by men.

Increasingly, women are migrating on their own or as heads of households and principal wage earners for themselves and their families. For instance, data from labour emigration permits in South and South-East Asia show that some countries, such as Indonesia, the Philippines and Sri Lanka, allocate 70 per cent or more of such permits to prospective female migrants.

## 2. IMMIGRATION POLICIES

This chapter presents information about Governments' views and policy objectives to influence the level of immigration in their countries. It also describes policies that aim at influencing migration for permanent settlement, temporary labour migration, migration for family reunification and migration of highly skilled workers.

Immigration policies generally respond to labour market needs and demographic objectives of destination countries. Governments implement immigration policies through laws, regulations and programme measures with the objective to manage the volume, origin, direction and composition of migration flows. In many countries, mostly in more developed regions, migration legislations have been characterized by regularization of flows and measures to better integrate immigrants in the host societies. In some cases, regional agreements have influenced the legislations of the countries involved. For example, European Union legislation influences the migration policies of the 28 European Union countries, as well as of neighbouring countries in the European Union accession process. For instance, the so-called "Blue Card" is an EU-wide work permit implemented by a majority of European Union countries that establishes the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment (European Union, 2009).

In recent years, many countries have adopted migration policies as part of their national strategies and development plans. Examples include Bulgaria, Chile, the Czech Republic, Finland, Ireland, Lithuania, Mexico, Poland and Slovakia (OECD, 2011; 2012; 2013). Poland adopted its first migration strategy in 2012 that stressed the need for Poland to be more open to immigrants with needed skills and to facilitate their integration (OECD, 2013). Chile is developing a five-year migration policy with three strategic objectives: modernize the administrative process of residence applications, publish a new immigration law, and address the status of asylum seekers as soon as they arrive in the country.

Governments in a growing number of destination countries have also incorporated human rights approaches in their migration policies. For example, in 2011, Mexico redefined its migration policy by adopting the human rights approach to ensure and protect the human rights of all migrants. Emphasis was placed on family reunification issues, as well as access of migrants to health care and education, especially to minors. In most European countries, which host about one third of the global migrants stock, migrant status determines the accessibility to basic social protection and health care.<sup>6</sup> However, migration and border control have been increasingly integrated into security frameworks that emphasize policing, defence and

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<sup>6</sup> Spain is one of the few countries in Europe which extended welfare benefits (health, education, basic income for needy families) for all migrants regardless of their legal status in 2000. However, hit by financial crisis, the conservative Government passed an amendment law in 2012 restricting the health services for undocumented migrants below age 18, pregnant women and people in need of emergency care. Nevertheless, the regional governments of Andalusia, Basque Country, Catalonia and Navarre and medical associations refused to comply with the central Government based on the allegation of violation of human rights of the immigrants (Arango, 2013).

criminality that could undermine the human rights-based approach (United Nations News Centre, 2013).<sup>7</sup>

Rights of international migrants are protected under the 1990 United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (United Nations, General Assembly, 1990).<sup>8</sup> The unanimously adopted Declaration of the General Assembly's second High-level Dialogue on International Migration and Development in October 2013 has called upon the Member States to reaffirm their commitment to the human rights of all migrants.

## **2.1. GOVERNMENT VIEWS AND POLICIES ON REGULAR IMMIGRATION**

Among the 195 countries with data in 2011, 77 per cent of Governments considered the level of regular immigration in their countries to be satisfactory. This perception has been stable over time, since the percentage of Governments satisfied has remained virtually unchanged since the mid-1990s. In 2011, 17 per cent of Governments viewed the level of immigration in their countries as too high and 6 per cent viewed it as too low (table 2.1).

The percentage of Governments that were satisfied with the level of immigration in their countries in 2011 was high in both more and less developed regions, and varied little by level of development. Although the percentage of Governments that viewed the level of immigration as too low has increased since the mid-1990s, only 6 out of 49 countries in more developed regions and only 6 out of 146 countries in less developed regions considered the level of immigration to be too low in their countries in 2011.

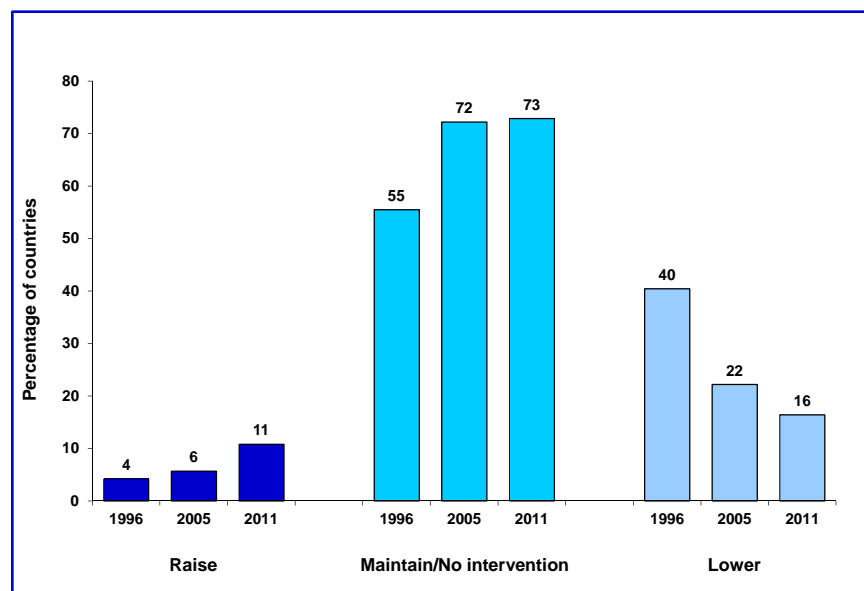
Policy objectives on immigration levels appear to be largely in accordance with Governments' views. In 2011, about three quarters (73 per cent) of all Governments either had policies to maintain the level of immigration or they were not intervening to change it, while 16 per cent had policies to lower it and 11 per cent had policies to raise the level of immigration (table 2.2 and figure 2.1). Since the mid-1990s, the percentage of Governments with policies to lower immigration has declined (from 40 per cent in 1996 to 16 per cent in 2011), while the percentage to raise immigration has increased (from just 4 per cent in 1996 to 11 per cent in 2011).

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<sup>7</sup> In May 2013, the United Nations Special Rapporteur on the Human Rights of Migrants urged the European Union to incorporate a human rights approach to immigration, instead of solely focusing on security concerns (United Nations News Centre, 2013).

<sup>8</sup> Rights of migrant workers are also covered under several international conventions and recommendations adopted by the International Labour Organization. Details about these conventions and recommendations are available at: <http://www.ilo.org/dyn/normlex/en/f?p=1000:12030:0::NO::> (ILO, n.d.).

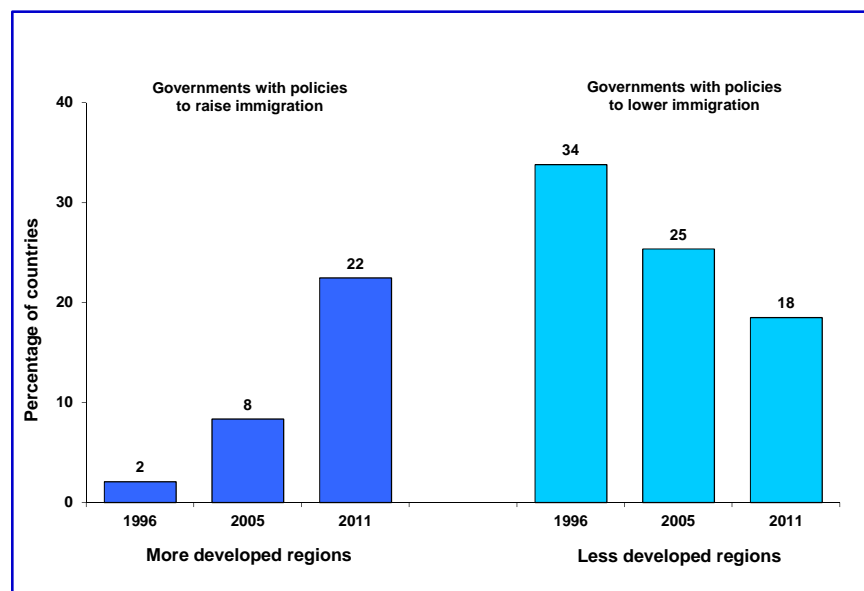
**Figure 2.1. Government policies to influence the level of immigration, 1996–2011**



Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

In 2011, two thirds of Governments in more developed regions and three quarters of Governments in less developed regions either had policies to maintain the current level of immigration or were not intervening to influence it (table 2.2). Since the mid-1990s, the percentage of Governments with policies to lower immigration has declined in both more and less developed regions. During this time, the percentage of Governments seeking to raise immigration has risen sharply in more developed regions, but not in less developed regions. In more developed regions, the percentage of Governments that had policies to raise the level of immigration increased from just 2 per cent in 1996 to 22 per cent in 2011, whereas in less developed regions, the percentage of Governments with policies to lower immigration declined from 34 per cent in 1996 to 18 per cent in 2011 (figure 2.2). All 11 countries in more developed regions with policies to raise immigration in 2011 were in Europe, including six in Eastern Europe (Belarus, Bulgaria, Poland, the Russian Federation, Slovakia and Ukraine), three in Northern and Western Europe (Austria, Finland and Sweden) and two in Southern Europe (San Marino and Slovenia). It is noteworthy that while many Governments in Central and Eastern European countries are trying to attract more immigrants, especially highly skilled workers, they have also taken measures to persuade their own skilled emigrants to return.

**Figure 2.2. Government policies to influence the level of immigration, by level of development, 1996–2011**

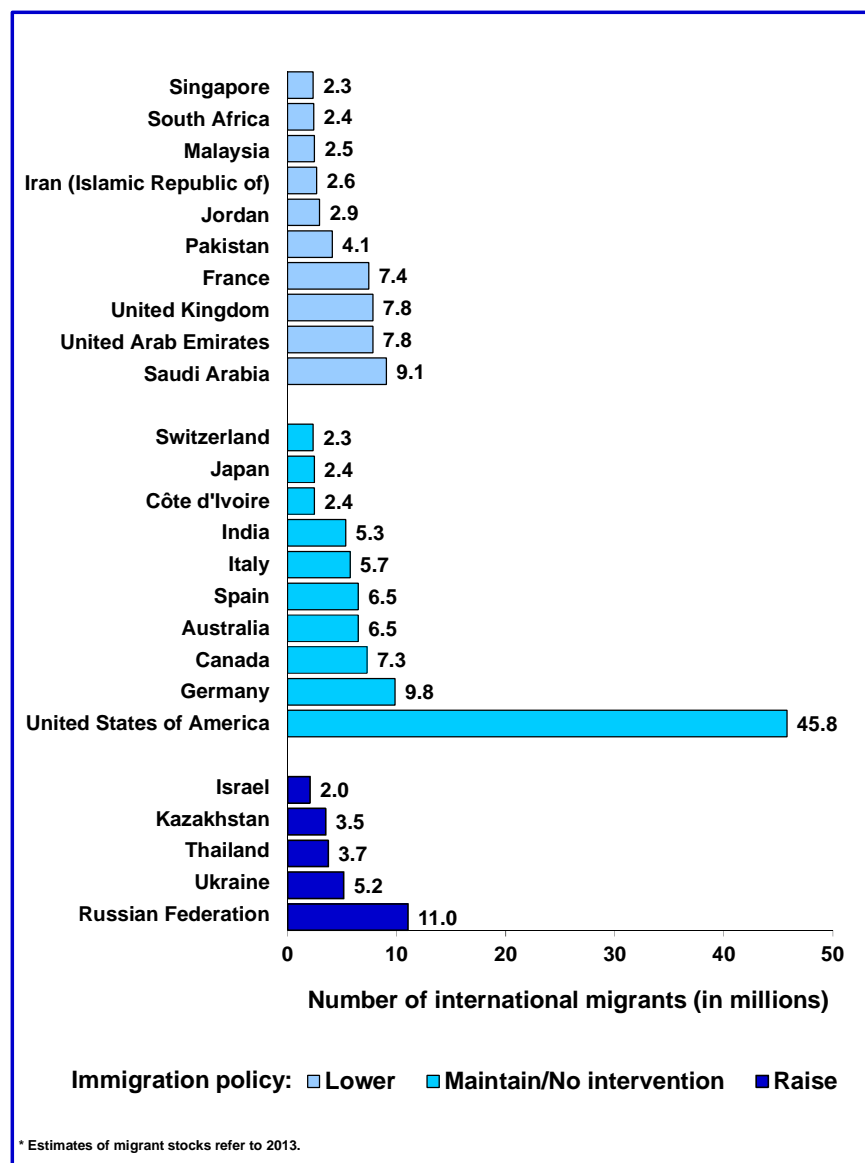


Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

In 2011, Africa and Asia had the highest proportions of countries (23 per cent and 26 per cent, respectively) where immigration was considered too high (table 2.1). However, the percentages of countries where policies were in place to lower immigration differed between these two regions, with 19 per cent of Governments in Africa and 28 per cent in Asia with such policies (table 2.2). Notably, in 2013, Africa hosted around 8 per cent of the global migrant stock, with a large majority (82 per cent) of its immigrants coming from within Africa. Also in Asia, which hosted 31 per cent of the global migrant stock, a large majority (76 per cent) of its immigrants came from within the region (United Nations, 2013). Oceania is the region where, in 2011, immigration was considered satisfactory in all but one country (15 out of 16 countries), where the Governments wanted to maintain the level of immigration or were not intervening to influence it. By 2013, Oceania hosted about 3 per cent of the global migrant stock, of which 41 per cent came from Europe and Northern America (United Nations, 2013).

Most of the debate around immigration and the regulation of migration flows occurs in countries where this phenomenon is quantitatively significant. The top 25 immigration countries according to their total stock of migrants in 2013 ranged from 2 million in Israel to 45.8 million in the United States of America. Out of these 25 countries with the highest stocks of migrants, Governments of 10 countries aimed at lowering their overall immigration level, while Governments in five countries, including the Russian Federation, aimed at raising the level of immigration. In the remaining 10 countries, Governments intended to maintain the current levels or did not intervene to influence immigration levels (figure 2.3).

**Figure 2.3. Immigration policies of the 25 countries with the highest numbers of international migrants,\* 2011**

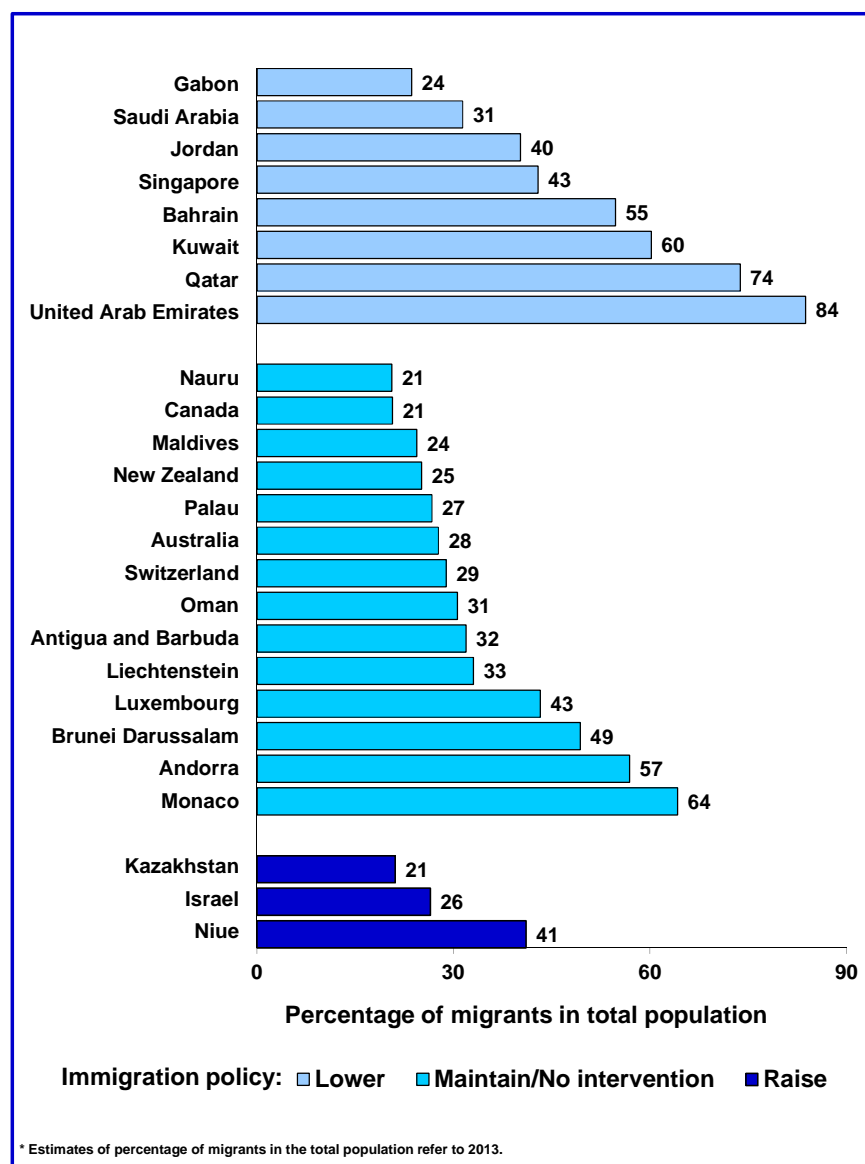


Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

Perceptions about the impact of migration in destination countries may also be influenced by the relative number of migrants compared to the total population in the country. Measured by the percentage of migrants in the total population in 2013, the top 25 countries rank from 21 per cent (Nauru, Canada and Kazakhstan) to 84 per cent (United Arab Emirates) (figure 2.4). By 2011, eight countries aimed at lowering the overall level of regular migration, including the United Arab Emirates, Qatar and Kuwait, which were among the top five countries with the highest percentages. Another 14 countries searched to maintain or not intervene on this level, and the remaining three countries aimed at raising the level of immigration. Countries willing to raise

immigration levels differed significantly in the size of their total populations: from Niue (1,500) to Israel (7.7 million) and Kazakhstan (16.4 million).

**Figure 2.4. Immigration policies of the 25 countries with the highest percentages of migrants in the total population,\* 2011**

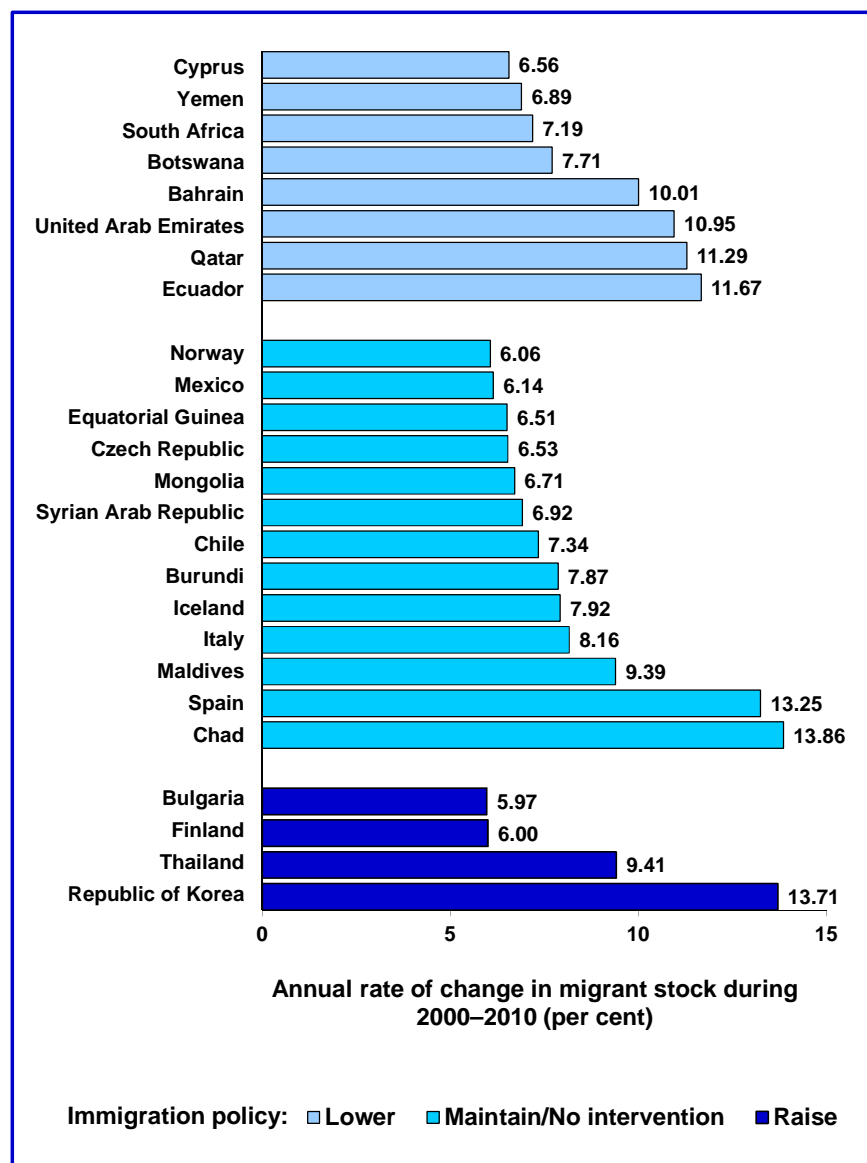


Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

In addition to the absolute and relative numbers of migrants in the total population, Governments are interested in factors that influence the direction and pace of migrant flows. Among countries with data, the 25 countries with the highest rate of change in the number of migrants in 2000–2010 (calculated as the estimated exponential annual rate of change of the international migrant stock) ranked from Bulgaria and Finland (6 per cent) to Spain

(13.2 per cent), Republic of Korea (13.7 per cent) and Chad (13.9 per cent) (figure 2.5). Most countries with rates of 10 per cent or above had policies to lower regular migration in 2011, two had policies to maintain or not intervene and one, Republic of Korea, which had implemented its First Basic Plan for Immigration Policy, had policies to raise regular immigration.

**Figure 2.5. Immigration policies of the 25 countries with the highest annual rates of change (per cent) in migrant stock, 2011**



Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

## **2.2. PERMANENT MIGRATION**

In the nineteenth and early twentieth centuries, international migration flows were characterized by permanent settlement of people primarily from European countries in the Americas. These immigrants were expected to join the process of nation-building by settling in frontier areas, adapting to the culture of the receiving country, and becoming citizens. However, in recent decades immigration policies have become more selective in deciding which immigrants should be admitted and for how long. Governments increasingly favour temporary migration over permanent migration.

Countries such as Australia, Canada, New Zealand and the United States of America are considered countries of permanent migration, as these countries have policies in place to facilitate the long-term stay of immigrants. Excluding the United States of America, these countries use points-based systems for admitting permanent migrants. Such points-based immigration systems consist of a “human-capital accumulation formula”, in which the Governments devise a list of attributes or characteristics that are in short supply or otherwise of intrinsic economic value to the host country’s economy (Papademetriou and Sumption, 2011). Points are awarded according to education, specific vocational preparation, experience, occupation, arranged employment, age, language ability and other selected criteria, and they are adjusted according to the local economic and labour market needs on a regular basis. For example, the Government of Australia changed its points-based system effective from July 2011, by recognizing qualifications from overseas institutions as equivalent to Australian qualifications, giving higher weight to work experience gained in Australia than experience gained overseas and giving greater importance to English language proficiency (OECD, 2011).

Besides the traditional settlement countries mentioned above, some countries accept permanent settlement based on ethnic and religious grounds. For instance, Israel guarantees admission of persons of Jewish descent based on the Law of Return (1950). It is estimated that more than 1 million Jews from the former Soviet Union have migrated to Israel in the past two decades (Israel, Ministry of Foreign Affairs, 2009). Finland, Germany, Greece, Italy and Japan accept immigrants according to ethnic origin as well. In Germany, for example, Article 116(1) of the constitution, the Basic Law, provides a guarantee of citizenship for individuals with German ethnicity (Germany, Federal Minister of the Interior, 2011).

Another category of permanent migrants consists of entrepreneurs, business persons and investors, who bring capital to the country of destination. These individuals are not considered labour migrants since they are not seeking jobs in the host countries. For example, in the United States of America, the Immigration Act of 1990 set aside 10,000 visas annually for immigrants who invested US\$ 1 million or more and created or preserved at least 10 jobs for American workers within two years of arrival (United States, Citizenship and Immigration Service, n.d.). The investor immigrants are granted a conditional status of lawful permanent resident, which becomes permanent after two years. Although the requirements vary, similar schemes for permanent migration of investors are found in several other countries, including Australia, the Bahamas, Bulgaria, Canada, Ireland, New Zealand, Panama, St. Kitts and Nevis, Switzerland and the United Kingdom.

Out of 176 countries with available data in 2011, only 6 per cent of Governments had policies to raise immigration for permanent settlement while 18 per cent had policies to lower it. A large majority of Governments had policies aimed at maintaining the current level of immigration for permanent settlement in their countries (59 per cent) or were not intervening to influence it (17 per cent) (table 2.3). The proportion of Governments that did not intervene was much greater in less developed regions (23 per cent), especially in least developed countries (50 per cent), than in more developed regions (only 2 per cent).

Between 2005 and 2011, the proportion of Governments with policies to lower immigration for permanent settlement declined and the proportion to maintain the current levels increased in both more and less developed regions, as well as in all major world regions. Europe was the only region where the percentage of Governments with policies to raise immigration for permanent settlement increased noticeably, from 5 per cent in 2005 to 12 per cent in 2011.

## **2.3. TEMPORARY MIGRATION**

While permanent residence permits allow migrants to live and work in the host country on a permanent or unlimited basis, temporary visas or residence permits usually apply when labour migration is sought for a period of time as determined in a work contract, after which migrant workers have to return to their country of origin.

The rationale behind the temporary programmes is based on the theory of labour market segmentation (Piore, 1979), under which labour demands in certain sectors are met with the help of temporary labour migrants from overseas when the labour force in the host country is either unavailable or unwilling to take on those jobs. Usually, activities “at the bottom of the social scale exert little attention and display chronic labour shortages, which foreigners are ready to fill” (OECD, 2001).

Several countries of destination have established annual quotas and signed bilateral agreements with countries of origin to attract temporary migrants to meet their local labour market needs. These bilateral agreements usually cover seasonal workers, contract and project-linked workers, guest workers and cross-border workers. Such migrants are typically admitted for a fixed period without the expectation of obtaining permanent resident status.

Temporary migration is generally perceived to be more advantageous than permanent migration by the Governments of receiving countries because of its greater flexibility in adjusting the labour supply to the economic business cycle. In other words, during the period of economic expansion the supply of labour can be expanded through temporary migration, and minimized during the period of economic contraction.

Such flexibility is important especially in the agricultural sector where the demand for labour is essentially seasonal, and is usually less attractive for nationals in many destination countries. The Canadian Seasonal Agricultural Workers Program, for example, has admitted since the mid-1960s, about 20,000 seasonal workers each year from Mexico and the Caribbean under bilateral treaties with the countries in the region. These seasonal workers return home after

the peak months of planting and harvesting, and most of them are expected to be rehired for the next season (Abella, 2006).

Out of 179 countries with available data in 2011, a large majority of Governments either had existing policies that were aimed at maintaining the current levels of temporary migration in their countries (60 per cent) or were not intervening in this regard (13 per cent) (table 2.4). About one fifth of all Governments had policies to lower the immigration of temporary workers and 8 per cent had policies to raise it. Governments in more developed regions were about twice as likely to raise and less than half as likely to lower the rate of immigration of temporary workers as those in less developed regions.

Between 2005 and 2011, the proportion of Governments wishing to maintain the current levels of temporary migrants increased, while the proportion wishing to lower their levels of temporary migration declined in both more and less developed regions, as well as in all major world regions, except in Northern America where both Canada and the United States of America aimed at maintaining their current levels of temporary immigration.

## **2.4. MIGRATION FOR FAMILY REUNIFICATION**

Migration for family reunification mostly entails the migration of family members considered dependants, usually the spouse and minor children, even if the spouse is not financially dependent (IOM, 2011a). Although family reunification is not recognized as a universal right, migration policies often include conditions through which family members are allowed to join the migrant in the host country. The determining factors in family reunification policies rely ultimately on national migration laws, which reflect the sovereign right of each country to determine the number and categories of international migrants to be admitted into its territory.

Most destination countries allow migration for the purpose of family reunification under certain conditions. Some migrant workers under temporary contracts are not allowed to be accompanied by their family members. Nonetheless, family reunification has become a major basis for immigration in many destination countries. Given the costs of providing migrants' dependants with health care, education and other social services, as well as the potential for abuse through fake marriages or adoptions, some countries of destination, mainly in Western Europe, have sought to limit or tighten the requirements for admission of family members.

Sweden, for example, introduced maintenance requirements for family reunification in April 2010 (OECD, 2011). The new rules apply for labour migrants from non-European Union countries who have a permanent resident permit for less than four years. According to these rules, immigrants must prove that they have adequate housing and can support their family if they wish to bring their family to join them. Austria, Denmark, the Netherlands and Norway have also tightened the maintenance requirements for family reunification since 2009. In addition, a growing number of European countries have made the admissions of family migrants conditional upon a sufficient level of language skills and knowledge of the host country. For

example, in Denmark, Germany and the Netherlands, prospective family migrants need to pass immigration tests which verify language skills and cultural knowledge of the host society.

In the European Union, family reunification accounts for about one third of all immigration. This share includes both family members of European Union citizens and non-European Union citizens, and has been decreasing in the last decade (European Commission, 2011a). Concerned about potential abuse of the right to family reunification and ineffective implementation of integration measures, among other issues, the European Commission launched in November 2011 a broad consultation on family reunification to review current conditions of entry and residence for non-European Union family members (European Commission, 2011b).

Among 161 countries with data on immigration policies for family reunification in 2011, an overwhelming majority of Governments (83 per cent) had policies aimed at maintaining their current level of immigration for the purpose of family reunification or did not intervene to influence it (table 2.5). Only 9 per cent of Governments (14 countries) had policies to lower immigration for family reunification and 9 per cent had policies to raise it. While a similar proportion of Governments in both more and less developed regions aimed to maintain current levels of immigration for family reunification (64 per cent and 62 per cent, respectively), the proportion that did not intervene was much greater in less developed regions (26 per cent), especially in least developed countries (59 per cent), than in more developed regions (4 per cent).

In 2011, Governments in less developed regions were less likely than Governments in more developed regions to either raise (6 per cent and 15 per cent, respectively) or lower (5 per cent and 17 per cent, respectively) immigration for family reunification. Between 2005 and 2011, the proportion of Governments with policies to raise their levels of immigration for family reunification increased in both more and less developed regions, while the proportion with policies to lower it declined in less developed regions but increased in more developed regions (table 2.5).

## **2.5. HIGHLY SKILLED MIGRATION**

Labour migration policies in destination countries have become increasingly selective, favouring the admission of international migrants with skills considered to be in short supply. In recent years, a growing number of countries have adopted policies to attract or facilitate the entry of highly skilled workers. Highly skilled migrants are usually granted preferential treatment and are subject to fewer restrictions than low skilled migrants regarding admission, length of stay, change of employment and admission of family members.

Current policy measures to manage labour migration of highly skilled workers range from employer-driven migration systems to immigrant-driven migration systems. The specific policy choices adopted are usually conditioned by the underlying migration policy framework and objectives of the countries (Chaloff and Lamaitre, 2009).

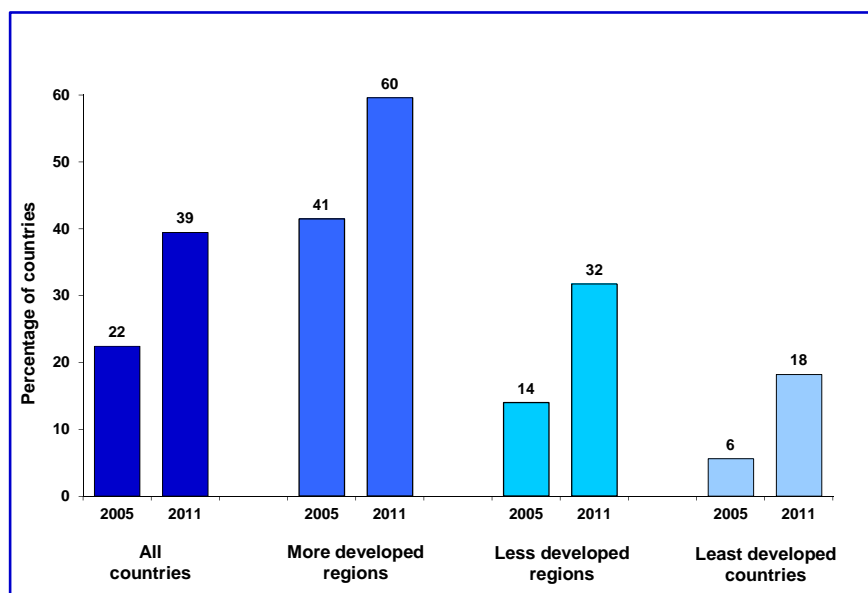
Employer-driven systems require the employer to initiate the process of recruitment by seeking employment authorization. This procedure is conditional on labour market tests. Characteristics of labour market tests vary by country but, in general, the employer must demonstrate that there are no suitably qualified domestic workers available and that competitive wages are paid to the immigrant workers. Some countries such as Austria, the Czech Republic, Germany, Italy, the Netherlands, Norway, Poland, Portugal, Spain, Sweden and Republic of Korea require employers to use public employment services to list the job opening (Chaloff and Lamaitre, 2009). In the Czech Republic, for example, the job must be posted for 21 days, in Portugal for 30 days and in Republic of Korea for 3 days in the newspaper and 7 days in the public employment service. Most countries in Western Europe consider foreign workers to be temporary, at least initially, whereas the traditional countries of immigration administer both temporary and permanent admissions.

Immigrant-driven systems are based on selection of immigrants, usually through points-based systems. In 2008, following the examples of Australia, Canada and New Zealand in selecting permanent immigrants, Austria, Denmark, the Netherlands and the United Kingdom have adopted points-based systems to select highly qualified migrants in occupations facing labour shortages. More recently, in 2012, Japan also introduced a points-based system for selecting highly qualified workers, allowing permanent residence after five years to those who met certain salary, experience, education, age, and language ability requirements. A major difference between the former and the latter countries using points-based systems is that in the former countries successful immigrants are given the right to permanent residence upon entry and are allowed to bring their families, while in the latter countries, immigrants are hired for a period of time and after a certain number of years of legal residence they become eligible for permanent residence.

By 2011, out of 170 countries with available data on policy objectives, Governments of 67 countries had adopted policies to raise immigration of highly skilled workers, 8 had policies to lower it, and the remaining 95 either had policies aimed at maintaining the current levels or had no relevant policies in place (table 2.6). The vast majority of Governments that were willing to attract higher numbers of migrants in specific categories were interested in attracting highly skilled workers. However, a large majority of Governments with policies to raise immigration of highly skilled workers did not have policies to raise the overall level of immigration or to encourage immigration under any other category.

The percentage of Governments with policies to raise immigration of highly skilled workers has increased from 22 per cent in 2005 to 39 per cent in 2011 (figure 2.6). Policies to raise immigration of highly skilled workers were about twice as common in 2011 among countries in more developed regions (60 per cent) as in less developed regions (32 per cent). Between 2005 and 2011, the percentage of Governments that had policies to encourage immigration of highly skilled workers increased both in more developed regions and less developed regions (including least developed countries), as well as in all major world regions, except Northern America where both Canada and the United States of America aimed at maintaining the current levels (table 2.6).

**Figure 2.6. Governments with policies to encourage the immigration of highly skilled workers, by level of development, 2005 and 2011**



Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).



## **Chapter 2**

### **Tables**

Table 2.1. Government views on the level of immigration, 1976–2011

Year	By level of development							
	Number of countries				Percentage			
	<i>Too low</i>	<i>Satisfactory</i>	<i>Too high</i>	<i>Total</i>	<i>Too low</i>	<i>Satisfactory</i>	<i>Too high</i>	<i>Total</i>
<i>World</i>								
1976	11	129	10	150	7	86	7	100
1986	6	125	33	164	4	76	20	100
1996	4	148	41	193	2	77	21	100
2005	10	151	33	194	5	78	17	100
2011	12	150	33	195	6	77	17	100
<i>More developed regions</i>								
1976	1	27	6	34	3	79	18	100
1986	0	26	8	34	0	76	24	100
1996	1	31	16	48	2	65	33	100
2005	4	40	4	48	8	83	8	100
2011	6	38	5	49	12	78	10	100
<i>Less developed regions</i>								
1976	10	102	4	116	9	88	3	100
1986	6	99	25	130	5	76	19	100
1996	3	117	25	145	2	81	17	100
2005	6	111	29	146	4	76	20	100
2011	6	112	28	146	4	77	19	100
<i>Least developed countries</i>								
1976	2	39	1	42	5	93	2	100
1986	1	40	7	48	2	83	15	100
1996	0	41	8	49	0	84	16	100
2005	0	44	6	50	0	88	12	100
2011	1	41	6	48	2	85	13	100

Table 2.1. (Continued)

Year	By major area							
	Number of countries				Percentage			
	<i>Too low</i>	<i>Satisfactory</i>	<i>Too high</i>	<i>Total</i>	<i>Too low</i>	<i>Satisfactory</i>	<i>Too high</i>	<i>Total</i>
<i>Africa</i>								
1976	5	41	2	48	10	85	4	100
1986	1	39	11	51	2	76	22	100
1996	0	46	7	53	0	87	13	100
2005	0	43	10	53	0	81	19	100
2011	1	40	12	53	2	75	23	100
<i>Asia</i>								
1976	4	32	1	37	11	86	3	100
1986	1	30	7	38	3	79	18	100
1996	1	35	10	46	2	76	22	100
2005	4	30	13	47	9	64	28	100
2011	2	33	12	47	4	70	26	100
<i>Europe</i>								
1976	0	24	5	29	0	83	17	100
1986	0	22	7	29	0	76	24	100
1996	0	27	16	43	0	63	37	100
2005	2	37	4	43	5	86	9	100
2011	6	33	5	44	14	75	11	100
<i>Latin America and the Caribbean</i>								
1976	1	25	1	27	4	93	4	100
1986	4	23	6	33	12	70	18	100
1996	2	26	5	33	6	79	15	100
2005	1	28	4	33	3	85	12	100
2011	2	27	4	33	6	82	12	100
<i>Northern America</i>								
1976	0	2	0	2	0	100	0	100
1986	0	1	1	2	0	50	50	100
1996	0	2	0	2	0	100	0	100
2005	1	1	0	2	50	50	0	100
2011	0	2	0	2	0	100	0	100
<i>Oceania</i>								
1976	1	5	1	7	14	71	14	100
1986	0	10	1	11	0	91	9	100
1996	1	12	3	16	6	75	19	100
2005	2	12	2	16	13	75	13	100
2011	1	15	0	16	6	94	0	100

Table 2.2. Government policies on immigration, 1976–2011

Year	By level of development							
	Number of countries				Percentage			
	Raise	Maintain/No intervention	Lower	Total	Raise	Maintain/No intervention	Lower	Total
<i>World</i>								
1976	11	129	10	150	7	86	7	100
1986	6	125	33	164	4	76	20	100
1996	8	107	78	193	4	55	40	100
2005	11	140	43	194	6	72	22	100
2011	21	142	32	195	11	73	16	100
<i>More developed regions</i>								
1976	1	27	6	34	3	79	18	100
1986	0	21	13	34	0	62	38	100
1996	1	18	29	48	2	38	60	100
2005	4	38	6	48	8	79	13	100
2011	11	33	5	49	22	67	10	100
<i>Less developed regions</i>								
1976	10	102	4	116	9	88	3	100
1986	6	104	20	130	5	80	15	100
1996	7	89	49	145	5	61	34	100
2005	7	102	37	146	5	70	25	100
2011	10	109	27	146	7	75	18	100
<i>Least developed countries</i>								
1976	2	39	1	42	5	93	2	100
1986	1	43	4	48	2	90	8	100
1996	1	35	13	49	2	71	27	100
2005	1	39	10	50	2	78	20	100
2011	1	43	4	48	2	90	8	100

Table 2.2. (Continued)

Year	By major area							
	Number of countries				Percentage			
	Raise	Maintain/No intervention	Lower	Total	Raise	Maintain/No intervention	Lower	Total
<i>Africa</i>								
1976	5	41	2	48	10	85	4	100
1986	1	41	9	51	2	80	18	100
1996	2	35	16	53	4	66	30	100
2005	1	39	13	53	2	74	25	100
2011	1	42	10	53	2	79	19	100
<i>Asia</i>								
1976	4	32	1	37	11	86	3	100
1986	1	30	7	38	3	79	18	100
1996	2	23	21	46	4	50	46	100
2005	4	26	17	47	9	55	36	100
2011	7	27	13	47	15	57	28	100
<i>Europe</i>								
1976	0	24	5	29	0	83	17	100
1986	0	16	13	29	0	55	45	100
1996	0	15	28	43	0	35	65	100
2005	2	35	6	43	5	81	14	100
2011	11	28	5	44	25	64	11	100
<i>Latin America and the Caribbean</i>								
1976	1	25	1	27	4	93	4	100
1986	4	25	4	33	12	76	12	100
1996	3	20	10	33	9	61	30	100
2005	1	28	4	33	3	85	12	100
2011	1	28	4	33	3	85	12	100
<i>Northern America</i>								
1976	0	2	0	2	0	100	0	100
1986	0	2	0	2	0	100	0	100
1996	0	1	1	2	0	50	50	100
2005	1	1	0	2	50	50	0	100
2011	0	2	0	2	0	100	0	100
<i>Oceania</i>								
1976	1	5	1	7	14	71	14	100
1986	0	11	0	11	0	100	0	100
1996	1	13	2	16	6	81	13	100
2005	2	11	3	16	13	69	19	100
2011	1	15	0	16	6	94	0	100

**Table 2.3. Government policies on immigration for permanent settlement, 2005 and 2011**

Year	Number of countries					Percentage				
	Raise	Maintain	Lower	No intervention	Total	Raise	Maintain	Lower	No intervention	Total
<b><u>By level of development</u></b>										
<i>World</i>										
2005	11	77	37	28	153	7	50	24	18	100
2011	11	104	31	30	176	6	59	18	17	100
<i>More developed regions</i>										
2005	5	31	9	2	47	11	66	19	4	100
2011	5	35	7	1	48	10	73	15	2	100
<i>Less developed regions</i>										
2005	6	46	28	26	106	6	43	26	25	100
2011	6	69	24	29	128	5	54	19	23	100
<i>Least developed countries</i>										
2005	0	5	5	15	25	0	20	20	60	100
2011	1	14	4	19	38	3	37	11	50	100
<b><u>By major area</u></b>										
<i>Africa</i>										
2005	0	5	8	16	29	0	17	28	55	100
2011	1	14	8	20	43	2	33	19	47	100
<i>Asia</i>										
2005	4	19	11	5	39	10	49	28	13	100
2011	4	24	10	6	44	9	55	23	14	100
<i>Europe</i>										
2005	2	29	9	2	42	5	69	21	5	100
2011	5	30	7	1	43	12	70	16	2	100
<i>Latin America and the Caribbean</i>										
2005	1	21	6	4	32	3	66	19	13	100
2011	0	24	5	3	32	0	75	16	9	100
<i>Northern America</i>										
2005	1	1	0	0	2	50	50	0	0	100
2011	0	2	0	0	2	0	100	0	0	100
<i>Oceania</i>										
2005	3	2	3	1	9	33	22	33	11	100
2011	1	10	1	0	12	8	83	8	0	100

Table 2.4. Government policies on immigration of temporary workers, 2005 and 2011

Year	Number of countries					Percentage				
	Raise	Maintain	Lower	No intervention	Total	Raise	Maintain	Lower	No intervention	Total
<b>By level of development</b>										
<i>World</i>										
2005	9	83	42	21	155	6	54	27	14	100
2011	15	107	34	23	179	8	60	19	13	100
<i>More developed regions</i>										
2005	5	32	8	2	47	11	68	17	4	100
2011	6	36	5	1	48	13	75	10	2	100
<i>Less developed regions</i>										
2005	4	51	34	19	108	4	47	31	18	100
2011	9	71	29	22	131	7	54	22	17	100
<i>Least developed countries</i>										
2005	1	11	3	10	25	4	44	12	40	100
2011	3	15	6	14	38	8	39	16	37	100
<b>By major area</b>										
<i>Africa</i>										
2005	0	6	7	12	25	0	24	28	48	100
2011	2	14	11	16	43	5	33	26	37	100
<i>Asia</i>										
2005	2	23	16	1	42	5	55	38	2	100
2011	3	27	15	1	46	7	59	33	2	100
<i>Europe</i>										
2005	3	29	8	2	42	7	69	19	5	100
2011	6	32	4	1	43	14	74	9	2	100
<i>Latin America and the Caribbean</i>										
2005	1	19	4	6	30	3	63	13	20	100
2011	2	22	2	5	31	6	71	6	16	100
<i>Northern America</i>										
2005	1	1	0	0	2	50	50	0	0	100
2011	0	2	0	0	2	0	100	0	0	100
<i>Oceania</i>										
2005	2	5	7	0	14	14	36	50	0	100
2011	2	10	2	0	14	14	71	14	0	100

Table 2.5. Government policies on immigration for family reunification, 2005 and 2011

Year	Number of countries					Percentage				
	Raise	Maintain	Lower	No	Total	Raise	Maintain	Lower	No	Total
				intervention					intervention	
By level of development										
World										
2005	7	84	16	28	135	5	62	12	21	100
2011	14	101	14	32	161	9	63	9	20	100
More developed regions										
2005	4	33	5	3	45	9	73	11	7	100
2011	7	30	8	2	47	15	64	17	4	100
Less developed regions										
2005	3	51	11	25	90	3	57	12	28	100
2011	7	71	6	30	114	6	62	5	26	100
Least developed countries										
2005	1	6	1	12	20	5	30	5	60	100
2011	2	10	0	17	29	7	34	0	59	100
By major area										
Africa										
2005	1	5	2	15	23	4	22	9	65	100
2011	2	16	1	18	37	5	43	3	49	100
Asia										
2005	1	23	6	5	35	3	66	17	14	100
2011	4	26	3	6	39	10	67	8	15	100
Europe										
2005	3	30	4	3	40	8	75	10	8	100
2011	6	27	7	2	42	14	64	17	5	100
Latin America and the Caribbean										
2005	1	22	2	4	29	3	76	7	14	100
2011	0	24	2	5	31	0	77	6	16	100
Northern America										
2005	1	1	0	0	2	50	50	0	0	100
2011	1	1	0	0	2	50	50	0	0	100
Oceania										
2005	0	3	2	1	6	0	50	33	17	100
2011	1	7	1	1	10	10	70	10	10	100

Table 2.6. Government policies on immigration of highly skilled workers, 2005 and 2011

Year	Number of countries					Percentage				
	Raise	Maintain	Lower	No intervention	Total	Raise	Maintain	Lower	No intervention	Total
<b>By level of development</b>										
<i>World</i>										
2005	30	79	5	20	134	22	59	4	15	100
2011	67	77	8	18	170	39	45	5	11	100
<i>More developed regions</i>										
2005	17	19	0	5	41	41	46	0	12	100
2011	28	16	2	1	47	60	34	4	2	100
<i>Less developed regions</i>										
2005	13	60	5	15	93	14	65	5	16	100
2011	39	61	6	17	123	32	50	5	14	100
<i>Least developed countries</i>										
2005	1	8	1	8	18	6	44	6	44	100
2011	6	14	1	12	33	18	42	3	36	100
<b>By major area</b>										
<i>Africa</i>										
2005	1	6	1	12	20	5	30	5	60	100
2011	11	11	2	15	39	28	28	5	38	100
<i>Asia</i>										
2005	8	26	4	1	39	21	67	10	3	100
2011	17	22	4	1	44	39	50	9	2	100
<i>Europe</i>										
2005	13	18	0	5	36	36	50	0	14	100
2011	25	14	2	1	42	60	33	5	2	100
<i>Latin America and the Caribbean</i>										
2005	4	24	0	1	29	14	83	0	3	100
2011	8	23	0	1	32	25	72	0	3	100
<i>Northern America</i>										
2005	1	1	0	0	2	50	50	0	0	100
2011	0	2	0	0	2	0	100	0	0	100
<i>Oceania</i>										
2005	3	4	0	1	8	38	50	0	13	100
2011	6	5	0	0	11	55	45	0	0	100



### **3. POLICIES TO ENCOURAGE INTEGRATION, NATURALIZATION AND RETURN OF MIGRANTS**

The successful integration of international migrants is a major challenge for countries of destination. Many countries have undertaken initiatives to make it easier for immigrants to integrate into the host society, in particular through language training and information campaigns that educate immigrants about the life and culture of the host country, as well as through legal provisions to ensure non-discrimination and other explicit measures. Most countries have also instituted provisions for the naturalization of migrants to allow equal rights and participation in the host society. However, the integration process for immigrants is not always smooth, particularly in countries where non-nationals, especially their dependants, experience language and other cultural barriers, as well as higher unemployment rates than citizens.

In recent years, policies that address migrant return to countries of origin have received greater attention, illustrating the importance of return migration in international migration flows at the global level both from the viewpoint of host countries and home countries. This issue is closely linked to current discussions on the potential positive role that migrants can play in the development of their countries of origin, as well as to the growing number of temporary migration programmes adopted in countries of destination, in particular in more developed regions (OECD, 2008).

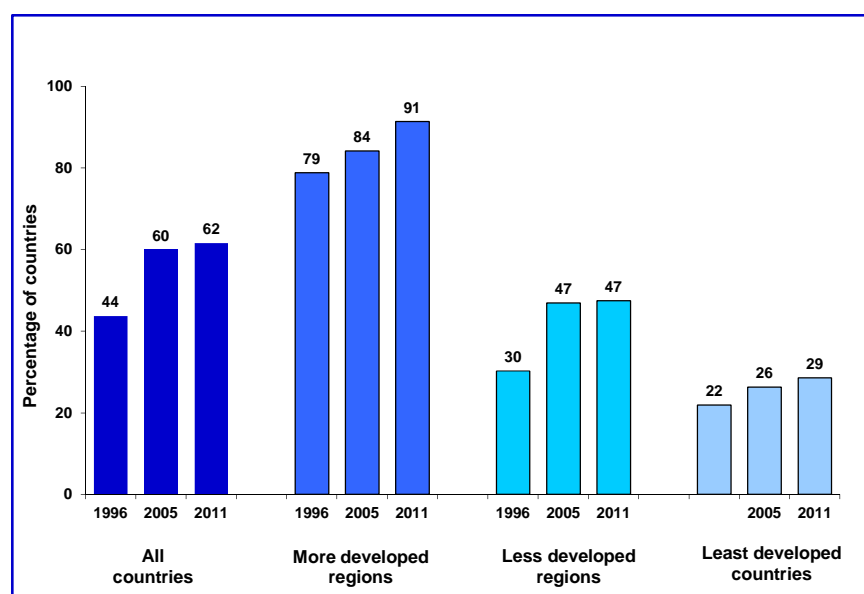
This chapter presents information on three types of policies aimed at international migrants in destination countries: policies on integration of non-nationals, policies on naturalization of non-nationals, and policies to facilitate the return of migrants to their home countries.

#### **3.1. PROMOTING THE INTEGRATION OF MIGRANTS**

Integration measures in most destination countries fall into two distinct categories: multiculturalism and assimilation. While policies within the multiculturalism approach encourage migrants to retain their own cultural identity, assimilation policies promote the absorption of minority cultures into the majority culture (Borooah and Mangan, 2009). Countries of permanent settlement, such as Australia, Canada, New Zealand and the United States of America, tend to be inclusionary, making it possible for immigrants to become citizens with full rights while maintaining their cultural identities. Others examples are Lithuania and Latvia, which have a multiculturalism approach whereby educational programmes have been designed to provide the immigrant pupils the option to complete school education in their mother tongue—Polish, Belorussian or Russian (EACEA, 2009). On the other hand, the Netherlands is an example where the policy has shifted from multiculturalism to assimilation by removing mother tongue teaching for migrant children and introducing mandatory Dutch language and civic integration courses for all immigrants (Entzinger, 2006; Kern, 2011).

In 2011, out of a total of 143 countries with available data, Governments of 88 countries (62 per cent) had policies aimed at integrating non-nationals, an increase from 44 per cent of Governments having such policies in 1996 (table 3.1). In more developed regions, where the majority of international migrants reside, 9 out of 10 Governments had policies in place to improve the integration of non-nationals, compared with less than half (47 per cent) of Governments in less developed regions or less than a third (29 per cent) of least developed countries. Between 1996 and 2011, the proportion of Governments with such policies increased in both more developed regions (from 79 per cent to 91 per cent) and less developed regions (from 30 per cent to 47 per cent) (figure 3.1). In 2011, the proportion of Governments with integration policies for immigrants ranged from 39 per cent in Africa and 45 per cent in Asia to 93 per cent in Europe and 100 per cent Northern America.

**Figure 3.1. Governments with policies to integrate non-nationals, by level of development, 1996–2011**



Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/)

Migrant integration can also be measured along the three sets of fundamental rights: civil, social and political (Marshall, 1964). Civil rights generally concern those rights necessary for individual freedom, such as freedom of speech, thought and faith. For example, in Spain, until 2009, the fundamental rights of assembly, demonstration, association, union membership and strike were restricted to legal residents. However, since 2009, these rights have been extended to all foreigners, including migrants in irregular situation. Social rights involve the right to a minimum standard of living and to a fair share in the economic welfare and social security benefits. They also include the right to education and the right to health. Political rights refer to the right to participate in political and decision-making processes, such as voting in local and national elections. In the European Union, for instance, many countries have adopted legislations or ratified international agreements that enfranchise non-citizens in local elections, yet most Governments continue to restrict suffrage to their citizens (Fabbrini, 2010).

Most host countries have granted a minimum set of social and economic rights to foreign residents. However, granting political rights, which carry a symbolic meaning in terms of sovereignty, is largely reserved for citizens. Despite expansive rights for migrants which serve to narrow the gap between citizens and foreigners in many aspects of life, the final stage in the acquisition of rights is obtaining naturalized citizenship, which is a key element of integration policy.

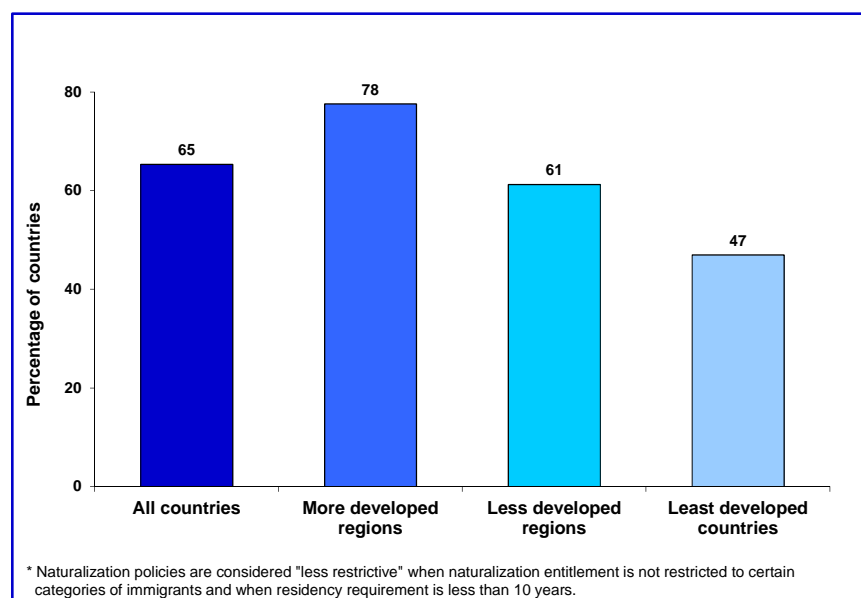
### **3.2. NATURALIZATION POLICIES**

Most countries have legal provisions that allow immigrants to become naturalized citizens under certain conditions. In some countries, however, conditions for naturalization are overly restrictive and disadvantage certain categories of immigrants. Hence, the criteria for acquisition of citizenship vary from country to country. Some countries that do not regard themselves as countries of immigration tend not to allow foreigners to obtain permanent residence or to become naturalized citizens. On the other hand, some countries, notably among the OECD countries, have reformed their legislations in recent years to make the requirements for naturalization less restrictive. For example, in 2010, Greece lowered the minimum length of residence for naturalization from ten years to seven years (OECD, 2012).

Table 3.2 presents information on the existence of naturalization policies in 2011. Countries where naturalization was available to only certain categories of immigrants or where the residency requirement was 10 years or longer were categorized as having “more restrictive” naturalization policies. In 2011, out of 196 countries considered, 128 countries (65 per cent) had “less restrictive” naturalization policies, whereas another 63 countries (32 per cent) allowed naturalization under “more restrictive” conditions. Five countries—Kuwait, Lebanon, Myanmar, Nauru and the United Arab Emirates—did not allow naturalization under any conditions.

Naturalization policies were more restrictive in countries in less developed regions than in more developed regions. Seventy-eight per cent of Governments in more developed regions allowed “less restrictive” acquisition of naturalized citizenship in 2011, compared with 61 per cent of Governments in less developed regions and 47 per cent of least developed countries (figure 3.2). More restrictive naturalization policies were particularly common in Africa and Asia.

**Figure 3.2 Governments with less restrictive\* naturalization policies for immigrants, by level of development, 2011**



Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

### **3.3. ENCOURAGING THE RETURN OF MIGRANTS TO THEIR COUNTRIES OF ORIGIN**

Some destination countries have instituted programmes to encourage and facilitate the return of immigrants to their home countries. These include assisted return programmes and schemes to reintegrate return migrants in their countries of origin. Initiatives by Governments to facilitate the return of migrants to their home countries may be undertaken only by the destination country or they may be part of joint co-development strategies promoted by sending and receiving countries.

In 2011, information on the existence of Government programmes to facilitate the return of migrants to their countries of origin was available for only 58 countries worldwide. Governments of 40 of the 58 countries with data (69 per cent) had programmes to facilitate the return of migrants to their home countries. Out of 40 countries in more developed regions with data, 32 (80 per cent) had programmes to facilitate the return of migrants to home countries, compared with only 8 (44 per cent) out of 18 countries in less developed regions with data. Thirty-one of the 32 countries in more developed regions with such return programmes were in Europe (table 3.3).

Examples of programmes to facilitate return of migrants to home countries include the Czech Republic, Japan and Spain. These countries have introduced cash incentives in recent years to encourage the return of migrants dealing with the challenges posed by the economic downturn. Japan, for example, established a programme providing financial incentives to migrants to return to their home countries, covering the period from April 2009 to March 2010.

In this programme, about 22,000 migrants participated, the vast majority (93 per cent) of them from Brazil. Spain also established a programme called the Plan de Retorno Voluntario in 2008. This programme was a “pay-to-go” system that gave unemployment benefits to non-European Union citizens who agreed to return to their home countries. However, these programmes are believed to have had limited impact (IOM, 2011b).

Another example is the European Return Fund, which was established by the European Parliament and the Council of the European Union as part of the Solidarity and Management of Migration Flows programme covering the period 2008–2013. The fund provides resources for action at the national or transnational levels, aimed at facilitating voluntary return of foreign persons residing in a European Union country who are not under an obligation to leave the territory, such as applicants for asylum awaiting a response or refugees enjoying temporary protection. It also facilitates voluntary return of migrants without proper documents or in an irregular situation (European Union, 2010).



## **Chapter 3**

### **Tables**

**Table 3.1. Governments with policies to integrate non-nationals, 1996–2011**

Year	By level of development					
	Number of countries			Percentage		
	Yes	No	Total	Yes	No	Total
<i>World</i>						
1996	52	67	119	44	56	100
2005	75	50	125	60	40	100
2011	88	55	143	62	38	100
<i>More developed regions</i>						
1996	26	7	33	79	21	100
2005	37	7	44	84	16	100
2011	42	4	46	91	9	100
<i>Less developed regions</i>						
1996	26	60	86	30	70	100
2005	38	43	81	47	53	100
2011	46	51	97	47	53	100
<i>Least developed countries</i>						
1996	7	25	32	22	78	100
2005	5	14	19	26	74	100
2011	6	15	21	29	71	100

Table 3.1. (Continued)

Year	By major area					
	Number of countries			Percentage		
	Yes	No	Total	Yes	No	Total
<i>Africa</i>						
1996	11	27	38	29	71	100
2005	11	14	25	44	56	100
2011	11	17	28	39	61	100
<i>Asia</i>						
1996	6	19	25	24	76	100
2005	14	17	31	45	55	100
2011	17	21	38	45	55	100
<i>Europe</i>						
1996	22	6	28	79	21	100
2005	33	6	39	85	15	100
2011	38	3	41	93	7	100
<i>Latin America and the Caribbean</i>						
1996	9	13	22	41	59	100
2005	10	13	23	43	57	100
2011	16	12	28	57	43	100
<i>Northern America</i>						
1996	2	0	2	100	0	100
2005	2	0	2	100	0	100
2011	2	0	2	100	0	100
<i>Oceania</i>						
1996	2	2	4	50	50	100
2005	5	0	5	100	0	100
2011	4	2	6	67	33	100

**Table 3.2. Governments with naturalization policies for immigrants, 2011**

Year	Number of countries				Percentage			
	Yes, less restrictive*	Yes, more restrictive	No	Total	Yes, less restrictive*	Yes, more restrictive	No	Total
<b><u>By level of development</u></b>								
<i>World</i>								
2011	128	63	5	196	65	32	3	100
<i>More developed regions</i>								
2011	38	11	0	49	78	22	0	100
<i>Less developed regions</i>								
2011	90	52	5	147	61	35	3	100
<i>Least developed countries</i>								
2011	23	25	1	49	47	51	2	100
<b><u>By major area</u></b>								
<i>Africa</i>								
2011	29	25	0	54	54	46	0	100
<i>Asia</i>								
2011	26	17	4	47	55	36	9	100
<i>Europe</i>								
2011	33	11	0	44	75	25	0	100
<i>Latin America and the Caribbean</i>								
2011	28	5	0	33	85	15	0	100
<i>Northern America</i>								
2011	2	0	0	2	100	0	0	100
<i>Oceania</i>								
2011	10	5	1	16	63	31	6	100

\* Naturalization policies are considered “less restrictive” when naturalization entitlement is not restricted to certain categories of immigrants and when residency requirement is less than 10 years.

**Table 3.3. Governments with programmes to facilitate the return of migrants to their home countries, 2011**

Year	Number of countries			Percentage		
	Yes	No	Total	Yes	No	Total
<b><u>By level of development</u></b>						
<i>World</i>						
2011	40	18	58	69	31	100
<i>More developed regions</i>						
2011	32	8	40	80	20	100
<i>Less developed regions</i>						
2011	8	10	18	44	56	100
<i>Least developed countries</i>						
2011	0	1	1	0	100	100
<b><u>By major area</u></b>						
<i>Africa</i>						
2011	1	1	2	50	50	100
<i>Asia</i>						
2011	6	7	13	46	54	100
<i>Europe</i>						
2011	31	6	37	84	16	100
<i>Latin America and the Caribbean</i>						
2011	1	2	3	33	67	100
<i>Northern America</i>						
2011	0	0	0	..	..	..
<i>Oceania</i>						
2011	1	2	3	33	67	100



## 4. EMIGRATION POLICIES

Emigration generates both opportunities and challenges for sending countries, especially in less developed regions. On the one hand, concerns have often been raised about the loss of human resources, including highly skilled workers, the so-called “brain drain”, which may hinder development in countries of origin. On the other hand, some countries in less developed regions view emigration as a strategy to boost development, not only from remittances or through alleviation of labour market pressures, but also by recognizing that their diaspora can contribute to development through financial investments in home countries, as well as through transfer of knowledge and skills (Global Migration Group, 2010).

Policies addressing emigration of citizens can respond to a wide range of needs both from the perspective of individuals who have left their countries of origin and from the perspective of Governments in sending countries.

This chapter presents information about Government views and policies on emigration, and discusses policies on acceptance of dual citizenship, policies to encourage the return of citizens and measures to attract investment by diaspora.

### 4.1. GOVERNMENT VIEWS AND POLICIES ON EMIGRATION

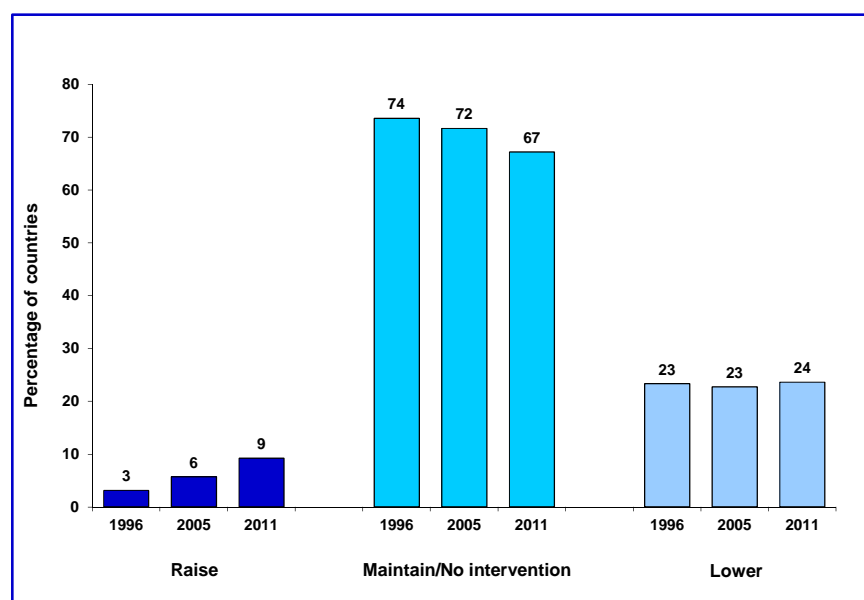
In 2011, 59 per cent of Governments in the world viewed the level of emigration from their countries as satisfactory, whereas 33 per cent viewed it as too high and 7 per cent as too low (table 4.1). The percentage of Governments that were satisfied with their level of emigration has declined steadily since the mid-1970s (from 83 per cent in 1976 to 59 per cent in 2011), while the percentage that viewed it as too high has increased (from 13 per cent in 1976 to 33 per cent in 2011). A higher proportion of Governments in more developed regions were satisfied with their level of emigration (73 per cent) than those in less developed regions (55 per cent). While the proportion of Governments that were satisfied has declined steadily in less developed regions, from 84 per cent in 1976 to 55 per cent in 2011, there was no clear trend in more developed regions.

The declining trend in the proportion of Governments that were satisfied in less developed regions has been accompanied with an increasing trend in the proportion that viewed emigration as too high or too low. All 14 countries where Governments viewed their level of emigration as too low in 2011 were in less developed regions—two in Africa, seven in Asia and five in Oceania. Latin America and the Caribbean had the highest proportion of Governments (48 per cent) among all world regions that viewed their level of emigration as too high. Even in 1976, a third of all Governments in Latin America and the Caribbean viewed their emigration level as too high. Oceania, in contrast, has observed a dramatic decline in the proportion of Governments satisfied with their level of emigration, from all seven Governments with data available in 1976 to 6 out of 16 Governments (38 per cent) with data available in 2011. The remaining 10 countries were evenly split between those that considered their emigration level to be too high and those that considered it to be too low.

Many countries that perceived their level of emigration as too high have instituted policies to encourage citizens to remain in the country. Such policies to lower emigration have included strengthening educational and training institutions at home and boosting domestic employment opportunities. Some countries have also adopted policies to retain potential migrants with certain skills, for example health workers who are in short supply in the sending country, but also in high demand in destination countries.

Worldwide, in 2011, about one out of four Governments had policies to lower the level of emigration from their countries, two thirds had policies to maintain the current level or did not intervene to influence emigration, and the remaining 9 per cent had policies to raise emigration (table 4.2 and figure 4.1). Since the mid-1990s, the proportion of Governments with policies to lower emigration has remained virtually unchanged, while the proportion with policies to raise emigration has increased and the proportion with policies to maintain or to not intervene has declined.

**Figure 4.1. Governments with policies to influence the level of emigration, 1996–2011**

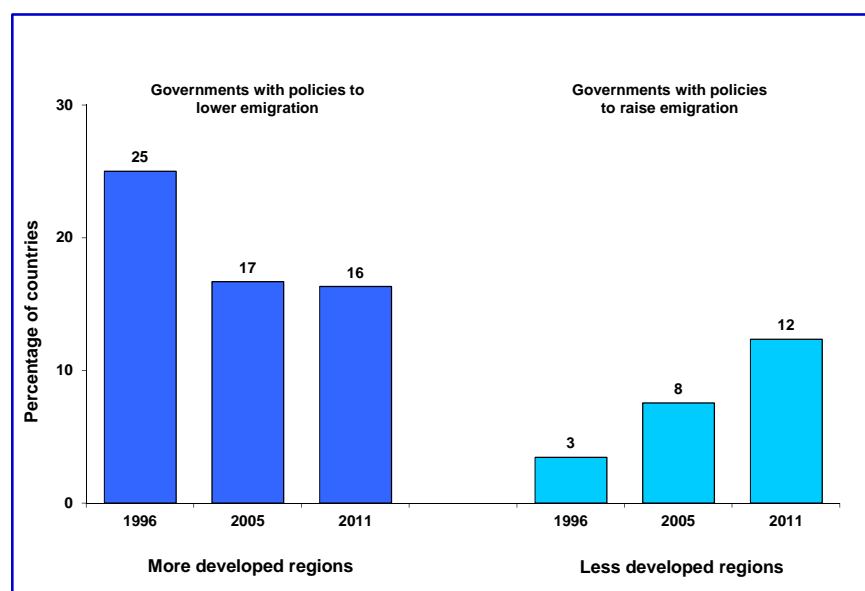


Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

In 2011, policies to lower emigration were more common among countries in less developed regions (26 per cent) than in more developed regions (16 per cent) (table 4.2). In more developed regions, the percentage of Governments that had policies to lower emigration has declined from 25 per cent in 1996 to 16 per cent in 2011; whereas in less developed regions, the percentage of Governments with policies to raise emigration has increased from just 3 per cent in 1996 to 12 per cent in 2011 (figure 4.2). All 18 countries with policies to raise emigration in

2011 were in less developed regions.<sup>9</sup> Notably, in both more and less developed regions, as well as in most geographic regions, some Governments that viewed their emigration level as too high had not adopted policies to lower emigration. For instance, in Europe, 30 per cent of Governments viewed emigration as too high in 2011, but only 18 per cent had policies to lower emigration.

**Figure 4.2. Governments with policies to influence the level of emigration, by level of development, 1996–2011**



Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

Globally, in 2013, India had the largest number of emigrants (14.2 million), followed by Mexico (13.2 million), the Russian Federation (10.8 million), China (9.3 million) and Bangladesh (7.8 million) (United Nations, 2013).<sup>10</sup> Out of the 25 countries with the highest emigrant stocks in 2013, Governments of 18 countries had policies to maintain their current levels of emigration or were not intervening to influence emigration levels, four had policies to raise their level of emigration (all four in Asia: Bangladesh, Pakistan, Indonesia and Viet Nam), whereas the remaining three (Mexico, Ukraine and Iraq) had policies to lower emigration (figure 4.3).

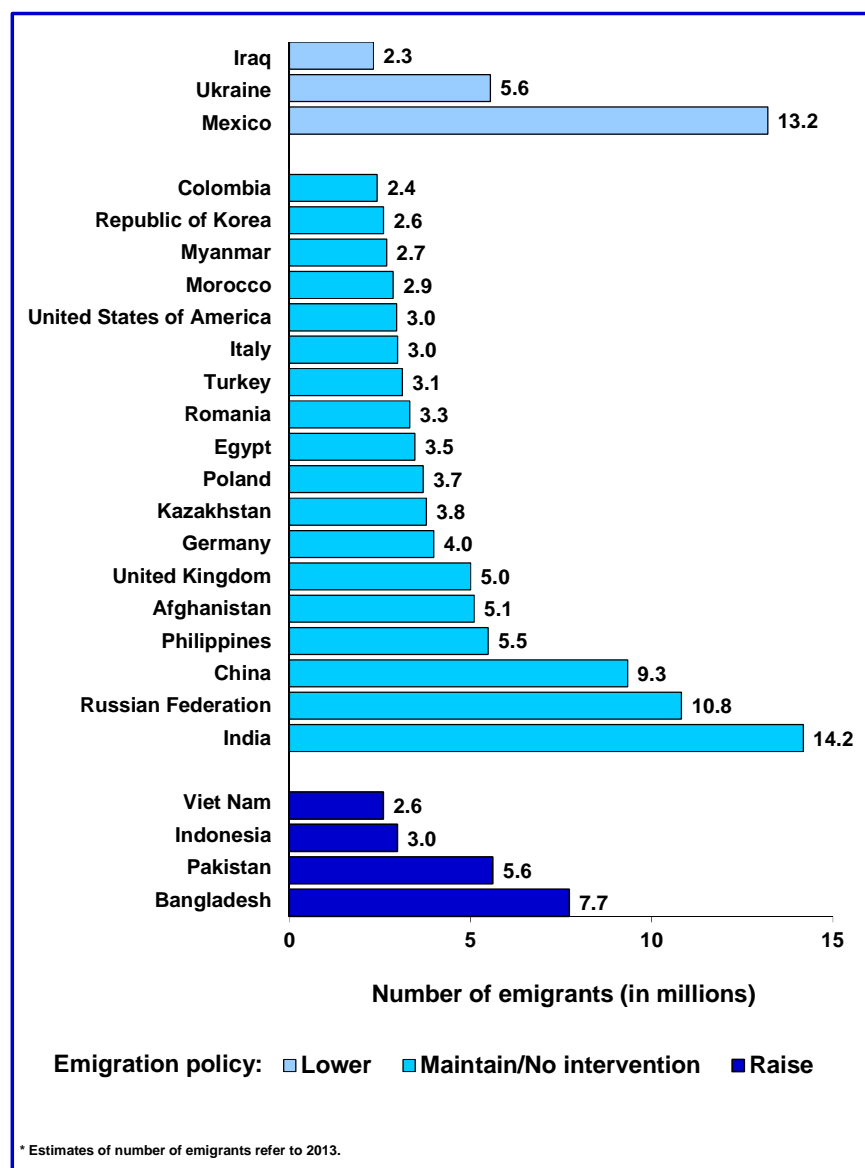
Mexico, for example, with the second highest stock of emigrants, has addressed the challenges associated with the high social costs of emigration while recognizing the structural factors behind sustained movements towards the United States of America. Mexico's National Population Programme 2008–2012 aimed at promoting sustainable development in migration-

<sup>9</sup> These countries were: Bangladesh, Cambodia, Indonesia, Jordan, Kiribati, Nauru, Nepal, Pakistan, Papua New Guinea, Tajikistan, Thailand, Timor-Leste, Tonga, Tunisia, Tuvalu, Uzbekistan, Viet Nam and Yemen.

<sup>10</sup> The country of origin of 4 million emigrants from the South and 2.5 million emigrants from the North is unknown.

sending regions with particular attention to areas with the greatest development potential for retaining and attracting population. It has also prioritized development activities in emerging areas of emigration (Mexico, Consejo Nacional de Población, n.d.).

**Figure 4.3. Emigration policies of the 25 countries with the highest numbers of emigrants,\* 2011**



Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

## **4.2. EMIGRATION OF HIGHLY SKILLED WORKERS**

In many countries in less developed regions, emigration of highly skilled workers poses particular challenges to Governments. In addition to losses of public resources invested in education, emigration of highly skilled workers can undermine the countries' productive capacity, and in turn, cause labour market shortages in affected sectors, such as health, education and information technology (Ratha, et al., 2011). Much has been written about the adverse impacts of emigration of highly skilled workers on the sending countries, including how brain drain disproportionately harms the sending countries in less developed regions. However, many highly skilled workers migrate because of lack of opportunities in their own countries. In short, the issue of brain drain is more complex than it appears (Drechsler, 2008).

Low skilled migration, on the other hand, seems to have a stronger effect on poverty reduction in sending countries. Unlike highly skilled migrants, who usually take their families to the host country, low skilled migrants generally migrate without families. Therefore, they remit more money as they generally intend to return to their home countries. Secondly, low skilled migrants tend to come from poorer households, which benefit disproportionately from the remittances. Thirdly, migrants themselves can benefit by acquiring skills and experience while living abroad. Finally, emigration of low skilled workers can reduce the pressures on the labour markets of the sending countries, which often suffer from an oversupply of low skilled labour force (Drechsler, 2008).

Data on emigration rates of persons holding a tertiary degree and residing in the OECD countries were estimated for 134 countries of origin as the share of tertiary-educated natives living in one of the OECD countries around 2005–2006 (Widmaier and Dumont, 2011).<sup>11</sup> Out of the 25 countries with the highest emigration rates of tertiary-educated persons, 9 were in Africa, 8 in Latin America and the Caribbean, 4 in Asia and 2 each in Europe and Oceania (figure 4.4). The rate of tertiary-educated emigrants varied from 24 per cent in Maldives to 83 per cent in Barbados, among the 25 countries with the highest rates. Barbados, Guyana, Haiti, Trinidad and Tobago and the Congo were the top five countries with the highest rates. Nine countries had 50 per cent or more of their tertiary-educated citizens living abroad.

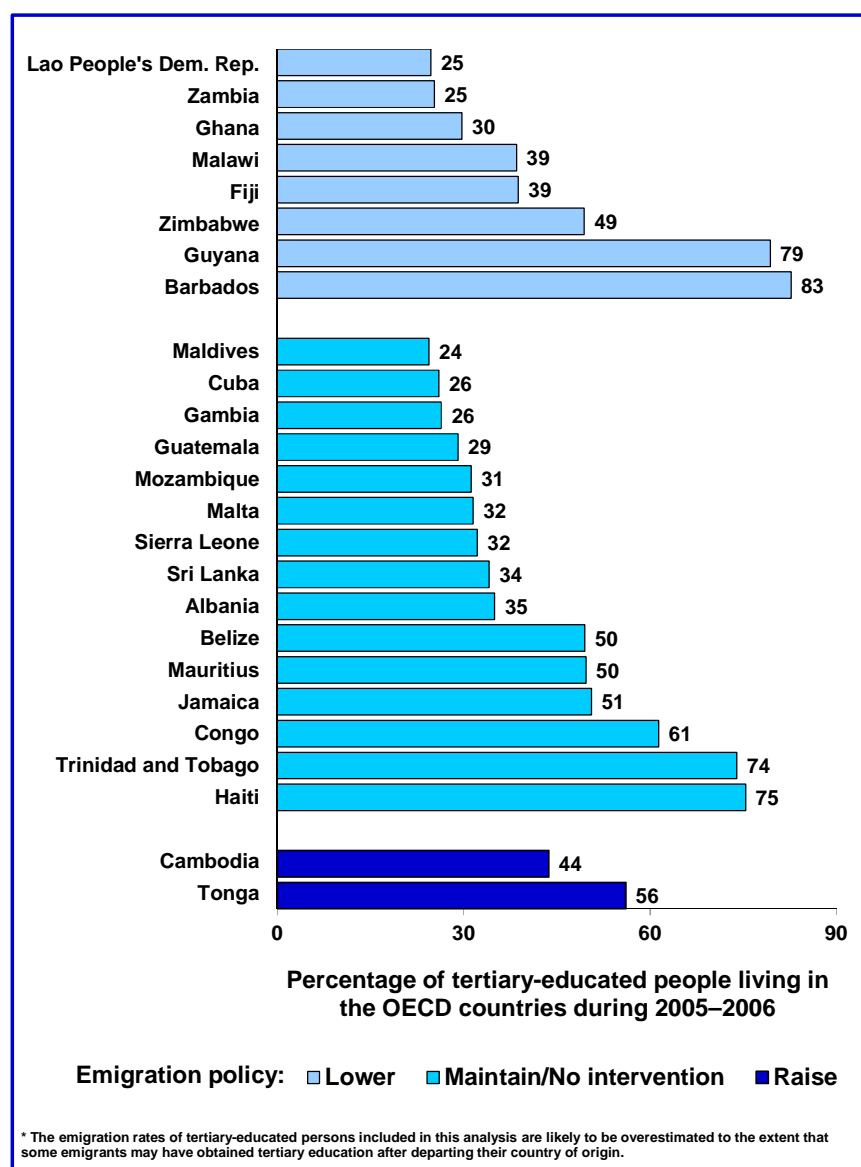
Out of the 25 countries with the highest emigration rates of tertiary-educated persons, Governments of only eight countries had policies to lower their emigration levels in 2011 (figure 4.4). However, many of the countries in this group had targeted policies that could lead to mitigation of the brain drain, or a net “brain gain”, such as encouraging the return of citizens (15 countries) or setting up a special governmental unit dealing with diaspora matters (16 countries).<sup>12</sup>

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<sup>11</sup> The emigration rates of tertiary-educated persons included in this analysis are likely to be overestimated to the extent that some emigrants may have obtained tertiary education after departing their country of origin.

<sup>12</sup> Out of the 25 countries with the highest emigration rates of tertiary-educated persons, data on policies to encourage the return of citizens were not available for one country and data on special diaspora units were not available for six countries.

**Figure 4.4. Emigration policies of the 25 countries with the highest emigration rates of tertiary-educated persons to the OECD countries,\* 2011**



Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

### 4.3. DUAL CITIZENSHIP POLICIES

Whether or not one is allowed to retain one's original citizenship upon acquiring the citizenship of another country is an important consideration for some migrants. The acquisition of citizenship in the destination country has implications for one's rights and entitlements, socioeconomic integration and prospects for their family members. It also affects the links of

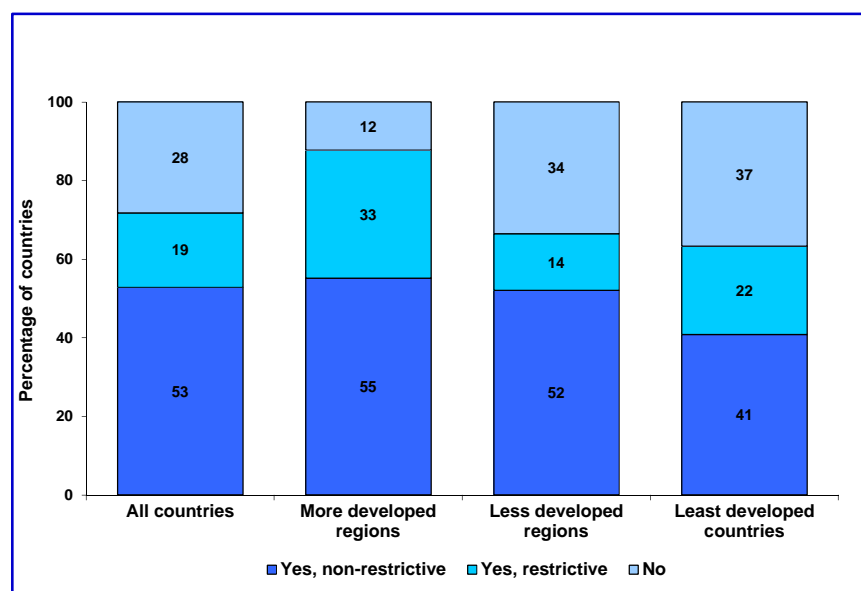
migrants with their countries of origin. When the countries of origin and destination do not allow dual citizenship, migrants are compelled to make a decision regarding their choice of citizenship.

In 2011, slightly over one half of all Governments (53 per cent) allowed their citizens abroad to retain their citizenship without restriction when acquiring a second country's citizenship (table 4.3). Another 19 per cent of Governments allowed their emigrants to keep their citizenship when acquiring another country's citizenship, but only under certain conditions related to either (i) the countries involved (acceptance of dual citizenship when some specific countries are involved but not others) or (ii) the rights involved (acceptance of dual citizenship with some restrictions to full citizenship rights). The remaining 28 per cent of Governments did not have provisions to allow dual citizenship.

Non-restrictive dual citizenship policies were about equally common among countries in more developed regions (55 per cent) and countries in less developed regions (52 per cent), but less common in least developed countries (41 per cent) (figure 4.5). Conversely, a much smaller proportion of Governments in more developed regions had a total prohibition of dual citizenship (12 per cent) than Governments in less developed regions (34 per cent) or least developed countries (37 per cent).

Latin America and the Caribbean had the highest percentage of Governments allowing dual citizenship without restriction (79 per cent), while Asia had the highest percentage of Governments prohibiting dual citizenship (50 per cent). Prohibitive policies were also relatively common in Oceania (38 per cent) and Africa (30 per cent).

**Figure 4.5. Governments with policies to allow dual citizenship, by level of development, 2011**



Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

#### **4.4. POLICIES TO ENCOURAGE THE RETURN OF CITIZENS**

Although much of return migration flows may be spontaneous, promoting migrant circulation or return has been a part of efforts by Governments to reverse the negative consequences of emigration. Many Governments, especially in less developed regions, facing ever growing emigration of skilled workers, have instituted policies and initiatives to encourage the return of their citizens living abroad. With regard to highly skilled emigrants, Governments have used three types of policies aimed at fostering their return (Jonkers, 2008), namely, migrant network policies, temporary return programmes and permanent return programmes.

The first type of policies is designed not only to promote the return of highly skilled emigrants, but also to stimulate contacts between the “home system and members of overseas communities of scientists and businessmen” (Jonkers, 2008). India is an example where the Government has made effective use of migrant networks. The Ministry of Overseas Indian Affairs has been actively engaged with members of migrant communities to further enhance flows of remittances, investments and other valued resources (India, Ministry of Overseas Indian Affairs, 2013).

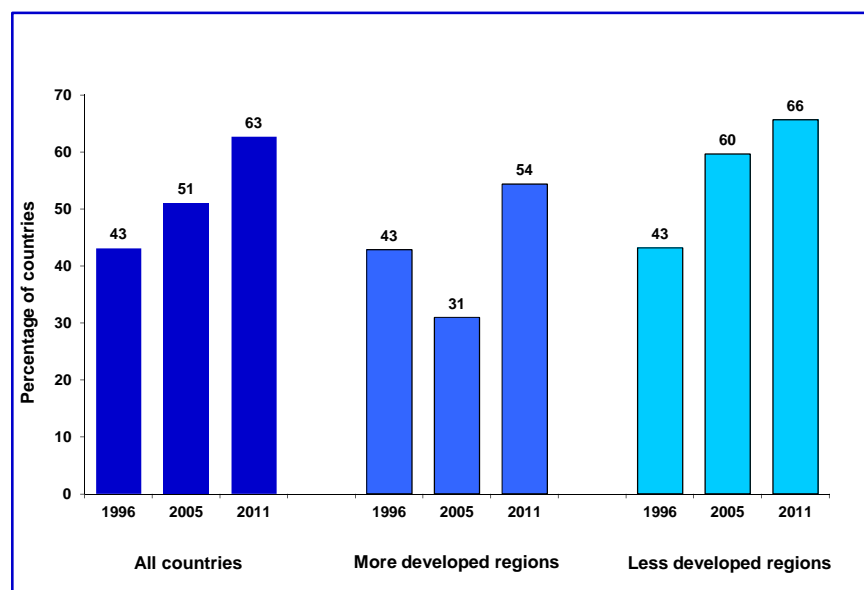
The second type of policies promotes the temporary return of citizens living abroad. Examples of policies that foster temporary return include receiving scientists who teach or do research for a limited period of time in their home country. For instance, the Chinese Government has attracted overseas Chinese scientists by allowing them to have a second lab in China where they spend part of their time (Jonkers, 2008). The National Natural Science Foundation of China (NSFC) has established the “Two Bases Program”, which allows Chinese scholars to set up stable workplaces in China, and realize the research model of “two bases”, one at home and one abroad (NSFC, 2011).

The third type of policies consists of stimulating permanent return of highly skilled migrants to their home country by providing tax cuts, attractive research facilities or bonus payments. For example, apart from temporary return of Chinese scientists, the Chinese Academy of Sciences launched the “100 Talents Program”. Scientists selected in this programme receive a research grant, office space and other incentives. Besides competitive salaries, health and other benefits, they also receive housing allowances. Applicants are required to have more than four years of postdoctoral experience and have attained the position of assistant professor or its equivalent overseas (Chinese Academy of Sciences, 2009). Another example is Mexico, which established a programme to retain and repatriate scientists living abroad in 1991 with limited success due to budget constraints and other priorities of the National Council of Science and Technology (Mexico, CONACYT, 2013).

In 2011, 109 countries, out of the 174 countries with available data, had policies to encourage the return of their citizens (table 4.4). The proportion of countries that had such policies has increased consistently since the mid-1990s, from 43 per cent in 1996 to 63 per cent in 2011. Between 1996 and 2011, the proportion of Governments with policies to encourage the return of their citizens increased in both more developed regions (from 43 per cent to 54 per cent) and less developed regions (from 43 per cent to 66 per cent) (figure 4.6). However, the trend has been less consistent in more developed regions where this proportion had declined

from 43 per cent in 1996 to 31 per cent in 2005 and then increased speedily to 54 per cent in 2011, indicating that in recent years the Governments in more developed regions are also encouraging their citizens to return.

**Figure 4.6. Governments with policies to encourage the return of citizens, by level of development, 1996–2011**



Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).

In recent years, the proportion of Governments with policies to encourage the return of citizens increased most rapidly in Europe, from 32 per cent in 2005 to 59 per cent in 2011 (table 4.4). In Europe, for example, Georgia established a project called “Targeted Initiative for Georgia”, funded by the European Union, which envisaged supporting the reintegration of returning migrants (Georgia, 2011). Oceania, conversely, observed a decline in the proportion of Governments with policies to encourage the return of citizens—from 63 per cent in 2005 to 43 per cent in 2011. In Latin America and the Caribbean, the proportion of Governments that had policies to encourage the return of their citizens was highest in 2011, when it was 81 per cent. In this region, for example, Ecuador implemented “The Cucayo” and the “Coming Back Home” programmes, to make the process of returning easier, including the reintegration of returnees in the local economy and encouraging their investment in social and productive initiatives (Lima Garaza, 2011).

Sometimes Governments cannot reduce the level of emigration or do not see the benefits of reducing it, yet they encourage return migration of selected categories of migrants. The policy to encourage the return of citizens was pursued by 17 of the 25 countries with the highest emigrant stocks, including three of the four countries in this group that had policies to raise their level of emigration. For example, while the objectives of the Pakistan’s Bureau of Emigration and Overseas Employment are to regulate emigration and look after the interests of its emigrants, the Government has recently recognized the loss of human capital and brain drain caused by

emigration, and pointed that diasporas needed to be encouraged into reverse brain drain that would redound the development benefits for the country (Pakistan, 2013).

#### **4.5. CREATING INCENTIVES FOR INVESTMENT BY DIASPORA**

Encouraging diaspora members to become more involved in the development of their country of origin has gained increasing attention in recent years, both among Governments in countries of origin and among their diaspora communities. Many Governments have set up special units to deal with matters of interest to the country's emigrants and their families living abroad, including providing information about employment opportunities at home, opportunities for social or cultural reintegration, issues of citizenship, channelling remittances and investments, and providing support for their return.

According to available data for 144 countries, 114 countries had established such governmental diaspora units in 2011 (table 4.5). Eighty-four per cent of countries in more developed regions had diaspora units, compared with 77 per cent of countries in less developed regions and 90 per cent of least developed countries. Half of the countries in Oceania and about a third in Asia did not have diaspora units in 2011. Some examples of diaspora units are: the National Secretariat for Migrants (Ecuador), the Regional Integration and Diaspora Unit (Dominica), the Commission on Filipinos Overseas (the Philippines), the Migration Development Unit (Zimbabwe) and the Overseas Singaporean Unit (Singapore).

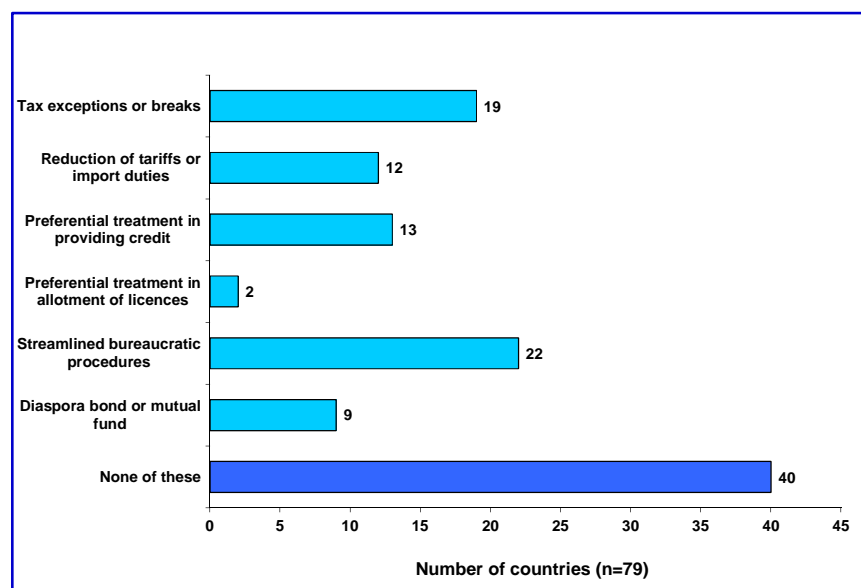
Diaspora units occupy different levels of government and exhibit diverse priorities and degrees of organization. Some of the diaspora units target citizens abroad while others specifically target permanent residents, naturalized citizens, and second and third generation descendants. Examples of countries with ministerial-level diaspora units are: Algeria, Armenia, Azerbaijan, Bangladesh, Benin, Comoros, Dominica, Georgia, Haiti, India, Indonesia, Iraq, Israel, Lebanon, Mali, Morocco, Niger, Pakistan, Senegal, Serbia, Slovenia, Somalia, Sri Lanka, the Syrian Arab Republic, the former Yugoslav Republic of Macedonia and Tunisia. Countries with large numbers of emigrants, such as Mexico, China and the Philippines, have multiple institutions at various levels of Government to deal with diaspora matters (Agunias and Newland, 2012).

Mobilizing the financial resources of diasporas has been an important strategy to enhance their potential contribution to development in the sending countries. Some Governments do not specifically target diasporas, but address general problems such as the lack of a working banking system and developing an investment-friendly environment (Ionescu, 2006), while others have introduced specific financial incentives and other programmes to encourage or facilitate investment by their diaspora. Senegal, for instance, encourages Senegalese nationals residing abroad to invest in corporate activities in their countries of origin by providing fiscal advantages during the project setup period of three years and during the exploratory phase of an enterprise or project for a maximum of five to eight years. Senegalese diaspora can also benefit from discounts on or exemptions from certain taxes, and a national law allows for fiscal incentives related to mutual savings and microcredit (IOM and MPI, 2012).

In 2011, data were gathered on six specific measures to attract diaspora investment: (1) tax exceptions or breaks; (2) reduction of tariffs on goods or import duties for diaspora companies; (3) preferential treatment in providing credit; (4) preferential treatment in allotment of licences; (5) streamlined bureaucratic procedures for investment; and (6) diaspora bond or mutual fund.

Out of 101 countries with available data in 2011 on measures to attract diaspora investment, only 46 had instituted at least one of these six measures (table 4.6). Among these, streamlined bureaucratic procedures for investment and provision of tax exceptions or breaks were the most frequently adopted measures (23 per cent and 19 per cent of the countries, respectively). Governments in less developed regions were more likely to have adopted at least one of the six diaspora investment measures than those in more developed regions. Among countries with data, two thirds of Governments in more developed regions had not adopted any of the six measures, compared with half of Governments in less developed regions. Among the 79 countries in less developed regions with available data in 2011, Governments of 22 countries had streamlined bureaucratic procedures for investment by their diaspora, 19 had implemented tax exceptions or breaks, 13 had preferential treatment in providing credit, 12 had reduced tariffs on goods or import duties for diaspora companies, 9 had issued diaspora bonds or mutual funds, and 2 had preferential treatment in the allotment of licences (figure 4.7). The percentage of Governments that had adopted one or more diaspora investment measures was highest in Latin America and the Caribbean (two thirds), followed by Africa (more than half), compared with a third or less in other regions.

**Figure 4.7. Governments with measures to attract investment by diaspora in less developed regions, 2011**



Source: United Nations, World Population Policies Database.  
[http://esa.un.org/poppolicy/about\\_database.aspx/](http://esa.un.org/poppolicy/about_database.aspx/).



## **Chapter 4**

### **Tables**

**Table 4.1. Government views on the level of emigration, 1976–2011**

Year	By level of development							
	Number of countries				Percentage			
	<i>Too low</i>	<i>Satisfactory</i>	<i>Too high</i>	<i>Total</i>	<i>Too low</i>	<i>Satisfactory</i>	<i>Too high</i>	<i>Total</i>
<i>World</i>								
1976	6	125	19	150	4	83	13	100
1986	9	124	31	164	5	76	19	100
1996	5	133	55	193	3	69	28	100
2005	10	131	53	194	5	68	27	100
2011	14	116	65	195	7	59	33	100
<i>More developed regions</i>								
1976	1	28	5	34	3	82	15	100
1986	2	29	3	34	6	85	9	100
1996	1	35	12	48	2	73	25	100
2005	0	39	9	48	0	81	19	100
2011	0	36	13	49	0	73	27	100
<i>Less developed regions</i>								
1976	5	97	14	116	4	84	12	100
1986	7	95	28	130	5	73	22	100
1996	4	98	43	145	3	68	30	100
2005	10	92	44	146	7	63	30	100
2011	14	80	52	146	10	55	36	100
<i>Least developed countries</i>								
1976	0	39	3	42	0	93	7	100
1986	1	39	8	48	2	81	17	100
1996	1	37	11	49	2	76	22	100
2005	2	40	8	50	4	80	16	100
2011	5	33	10	48	10	69	21	100

Table 4.1. (Continued)

Year	By major area							
	Number of countries				Percentage			
	<i>Too low</i>	<i>Satisfactory</i>	<i>Too high</i>	<i>Total</i>	<i>Too low</i>	<i>Satisfactory</i>	<i>Too high</i>	<i>Total</i>
<i>Africa</i>								
1976	1	44	3	48	2	92	6	100
1986	3	41	7	51	6	80	14	100
1996	2	40	11	53	4	75	21	100
2005	2	42	9	53	4	79	17	100
2011	2	32	19	53	4	60	36	100
<i>Asia</i>								
1976	4	31	2	37	11	84	5	100
1986	3	28	7	38	8	74	18	100
1996	2	31	13	46	4	67	28	100
2005	7	25	15	47	15	53	32	100
2011	7	28	12	47	15	60	26	100
<i>Europe</i>								
1976	1	23	5	29	3	79	17	100
1986	1	26	2	29	3	90	7	100
1996	1	31	11	43	2	72	26	100
2005	0	34	9	43	0	79	21	100
2011	0	31	13	44	0	70	30	100
<i>Latin America and the Caribbean</i>								
1976	0	18	9	27	0	67	33	100
1986	2	17	14	33	6	52	42	100
1996	0	18	15	33	0	55	45	100
2005	0	18	15	33	0	55	45	100
2011	0	17	16	33	0	52	48	100
<i>Northern America</i>								
1976	0	2	0	2	0	100	0	100
1986	0	2	0	2	0	100	0	100
1996	0	2	0	2	0	100	0	100
2005	0	2	0	2	0	100	0	100
2011	0	2	0	2	0	100	0	100
<i>Oceania</i>								
1976	0	7	0	7	0	100	0	100
1986	0	10	1	11	0	91	9	100
1996	0	11	5	16	0	69	31	100
2005	1	10	5	16	6	63	31	100
2011	5	6	5	16	31	38	31	100

Table 4.2. Government policies on emigration, 1976–2011

Year	By level of development							
	Number of countries				Percentage			
	Raise	Maintain/No intervention	Lower	Total	Raise	Maintain/No intervention	Lower	Total
<i>World</i>								
1976	6	125	19	150	4	83	13	100
1986	8	120	36	164	5	73	22	100
1996	6	142	45	193	3	74	23	100
2005	11	139	44	194	6	72	23	100
2011	18	131	46	195	9	67	24	100
<i>More developed regions</i>								
1976	1	28	5	34	3	82	15	100
1986	2	28	4	34	6	82	12	100
1996	1	35	12	48	2	73	25	100
2005	0	40	8	48	0	83	17	100
2011	0	41	8	49	0	84	16	100
<i>Less developed regions</i>								
1976	5	97	14	116	4	84	12	100
1986	6	92	32	130	5	71	25	100
1996	5	107	33	145	3	74	23	100
2005	11	99	36	146	8	68	25	100
2011	18	90	38	146	12	62	26	100
<i>Least developed countries</i>								
1976	0	39	3	42	0	93	7	100
1986	0	39	9	48	0	81	19	100
1996	1	39	9	49	2	80	18	100
2005	4	37	9	50	8	74	18	100
2011	7	34	7	48	15	71	15	100

Table 4.2. (Continued)

Year	By major area							
	Number of countries				Percentage			
	Raise	Maintain/No intervention	Lower	Total	Raise	Maintain/No intervention	Lower	Total
<i>Africa</i>								
1976	1	44	3	48	2	92	6	100
1986	2	41	8	51	4	80	16	100
1996	2	42	9	53	4	79	17	100
2005	1	42	10	53	2	79	19	100
2011	1	39	13	53	2	74	25	100
<i>Asia</i>								
1976	4	31	2	37	11	84	5	100
1986	5	25	8	38	13	66	21	100
1996	3	32	11	46	7	70	24	100
2005	9	24	14	47	19	51	30	100
2011	12	26	9	47	26	55	19	100
<i>Europe</i>								
1976	1	23	5	29	3	79	17	100
1986	1	24	4	29	3	83	14	100
1996	1	30	12	43	2	70	28	100
2005	0	35	8	43	0	81	19	100
2011	0	36	8	44	0	82	18	100
<i>Latin America and the Caribbean</i>								
1976	0	18	9	27	0	67	33	100
1986	0	18	15	33	0	55	45	100
1996	0	23	10	33	0	70	30	100
2005	0	25	8	33	0	76	24	100
2011	0	22	11	33	0	67	33	100
<i>Northern America</i>								
1976	0	2	0	2	0	100	0	100
1986	0	2	0	2	0	100	0	100
1996	0	2	0	2	0	100	0	100
2005	0	2	0	2	0	100	0	100
2011	0	2	0	2	0	100	0	100
<i>Oceania</i>								
1976	0	7	0	7	0	100	0	100
1986	0	10	1	11	0	91	9	100
1996	0	13	3	16	0	81	19	100
2005	1	11	4	16	6	69	25	100
2011	5	6	5	16	31	38	31	100



**Table 4.3. Governments with policies to allow dual citizenship, 2011**

Year	Number of countries				Percentage			
	Yes, non-restrictive	Yes, restrictive	No	Total	Yes, non-restrictive	Yes, restrictive	No	Total
<b><u>By level of development</u></b>								
<i>World</i>								
2011	103	37	55	195	53	19	28	100
<i>More developed regions</i>								
2011	27	16	6	49	55	33	12	100
<i>Less developed regions</i>								
2011	76	21	49	146	52	14	34	100
<i>Least developed countries</i>								
2011	20	11	18	49	41	22	37	100
<b><u>By major area</u></b>								
<i>Africa</i>								
2011	28	10	16	54	52	19	30	100
<i>Asia</i>								
2011	16	7	23	46	35	15	50	100
<i>Europe</i>								
2011	24	15	5	44	55	34	11	100
<i>Latin America and the Caribbean</i>								
2011	26	2	5	33	79	6	15	100
<i>Northern America</i>								
2011	1	1	0	2	50	50	0	100
<i>Oceania</i>								
2011	8	2	6	16	50	13	38	100

Table 4.4. Governments with policies to encourage the return of citizens,\* 1976–2011

Year	By level of development					
	Number of countries			Percentage		
	Yes	No	Total	Yes	No	Total
<i>World</i>						
1976	18	63	81	22	78	100
1996	59	78	137	43	57	100
2005	72	69	141	51	49	100
2011	109	65	174	63	37	100
<i>More developed regions</i>						
1976	2	18	20	10	90	100
1996	15	20	35	43	57	100
2005	13	29	42	31	69	100
2011	25	21	46	54	46	100
<i>Less developed regions</i>						
1976	16	45	61	26	74	100
1996	44	58	102	43	57	100
2005	59	40	99	60	40	100
2011	84	44	128	66	34	100
<i>Least developed countries</i>						
1976	6	19	25	24	76	100
1996	18	17	35	51	49	100
2005	17	9	26	65	35	100
2011	19	19	38	50	50	100

Table 4.4. (Continued)

Year	By major area					
	Number of countries			Percentage		
	Yes	No	Total	Yes	No	Total
<i>Africa</i>						
1976	6	31	37	16	84	100
1996	18	22	40	45	55	100
2005	18	15	33	55	45	100
2011	28	17	45	62	38	100
<i>Asia</i>						
1976	3	2	5	60	40	100
1996	12	19	31	39	61	100
2005	21	12	33	64	36	100
2011	25	15	40	63	38	100
<i>Europe</i>						
1976	2	17	19	11	89	100
1996	15	16	31	48	52	100
2005	12	25	37	32	68	100
2011	24	17	41	59	41	100
<i>Latin America and the Caribbean</i>						
1976	7	11	18	39	61	100
1996	11	15	26	42	58	100
2005	16	12	28	57	43	100
2011	26	6	32	81	19	100
<i>Northern America</i>						
1976	0	1	1	0	100	100
1996	0	2	2	0	100	100
2005	0	2	2	0	100	100
2011	0	2	2	0	100	100
<i>Oceania</i>						
1976	0	1	1	0	100	100
1996	3	4	7	43	57	100
2005	5	3	8	63	38	100
2011	6	8	14	43	57	100

\* Information on policies to encourage the return of citizens was not gathered for 1986.



**Table 4.5. Governments with a special unit dealing with diaspora matters, 2011**

Year	Number of countries			Percentage		
	Yes	No	Total	Yes	No	Total
<b><u>By level of development</u></b>						
<i>World</i>						
2011	114	30	144	79	21	100
<i>More developed regions</i>						
2011	37	7	44	84	16	100
<i>Less developed regions</i>						
2011	77	23	100	77	23	100
<i>Least developed countries</i>						
2011	26	3	29	90	10	100
<b><u>By major area</u></b>						
<i>Africa</i>						
2011	28	6	34	82	18	100
<i>Asia</i>						
2011	24	11	35	69	31	100
<i>Europe</i>						
2011	33	6	39	85	15	100
<i>Latin America and the Caribbean</i>						
2011	24	4	28	86	14	100
<i>Northern America</i>						
2011	2	0	2	100	0	100
<i>Oceania</i>						
2011	3	3	6	50	50	100

Table 4.6. Governments with measures to attract investment by diaspora, 2011

By level of development															
Year	Number of countries								Percentage						
	Reduction of tariffs on goods or import duties for diaspora companies								Reduction of tariffs on goods or import duties for diaspora companies						
	Tax exceptions or breaks	Preferential treatment in providing credit	Preferential treatment in allotment of licences	Streamlined bureaucratic procedures for investment	Diaspora bond/ mutual fund	None of these countries	Total number of countries	Tax exceptions or breaks	Preferential treatment in providing credit	Preferential treatment in allotment of licences	Streamlined bureaucratic procedures for investment	Diaspora bond/ mutual fund	None of these		
2011	19	13	16	2	23	11	55	101	19	13	16	2	23	11	54
World															
2011	0	1	3	0	1	2	15	22	0	5	14	0	5	9	68
More developed regions															
2011	19	12	13	2	22	9	40	79	24	15	16	3	28	11	51
Less developed regions															
2011	2	1	2	1	4	4	9	18	11	6	11	6	22	22	50
Least developed countries															

Table 4.6. (Continued)

By major area														
	Number of countries							Percentage						
Year	Reduction of tariffs on goods or import duties for diaspora companies	Tax exceptions or breaks	Preferential treatment in providing credit licences	Streamlined bureaucratic procedures for investment	Diaspora bond/ mutual fund	None of these countries	Total number of countries	Reduction of tariffs on goods or import duties for diaspora companies	Tax exceptions or breaks	Preferential treatment in providing credit licences	Streamlined bureaucratic procedures for investment	Diaspora bond/ mutual fund	None of these	
2011	7	2	3	1	6	5	13	25	7	11	4	21	18	46
Africa														
2011	4	2	1	0	4	2	16	18	9	5	0	18	9	73
Asia														
2011	0	1	3	0	0	2	12	0	6	17	0	0	11	67
Europe														
2011	7	7	9	0	12	2	8	28	28	36	0	48	8	32
Latin America and the Caribbean														
2011	0	0	0	0	0	0	1	0	0	0	0	0	0	100
Northern America														
2011	1	1	0	1	1	0	5	14	14	0	14	14	0	71
Oceania														



## **5. IRREGULAR MIGRATION, HUMAN TRAFFICKING AND REFUGEES**

Irregular migration poses multiple challenges to countries of origin, transit and destination, as well as to migrants themselves. Migrants in irregular situation are particularly vulnerable to discrimination, exploitation and abuse. Such migrants are also in danger of being exploited by crime organizations involved in human trafficking and migrant smuggling—crimes that constitute a serious violation of the human rights of its victims. Refugees and asylum seekers, despite the protection granted by international law, also face many difficulties in their migratory process, especially as the process of obtaining refugee status has become increasingly complicated, and it is more and more difficult to find countries willing to receive refugees.

This chapter provides information on the magnitude of undocumented or irregular migration, as well as estimates of refugees and victims of human trafficking. It also examines Government concerns about irregular migration, and discusses major conventions with respect to human trafficking, and refugees and asylum seekers.

### **5.1. IRREGULAR MIGRATION**

Information about undocumented migrants or migrants in irregular situation is often difficult to obtain or quantify. Estimates vary greatly from one source to another. For example, the International Organization for Migration (IOM) has estimated that 10–15 per cent of the world's 214 million international migrants in 2010 were undocumented (IOM, 2013a). The United Nations Development Programme (UNDP) has estimated that around one third of all migration flows in countries in less developed regions were undocumented (UNDP, 2009). Both the United Nations and the OECD include undocumented migrants in their estimation of migrant stocks, but the exact magnitude of migrants in irregular situation remains unknown.

The United States of America is one of the few countries with relatively accurate estimates of undocumented migrants. Using a “residual methodology”, the number of undocumented migrants in the United States of America was estimated at 11.7 million in March 2012 (Pew Research Center, 2013). For the 27 countries of the European Union in 2008, the CLANDESTINO Project estimated 1.9–3.8 million undocumented migrants (CLANDESTINO, 2009). In Australia, the Government estimated that in 2012 about 61,000 persons were in irregular situation (Australia, Department of Immigration and Border Protection, 2013). The Federal Migration Service of the Russian Federation estimated the number of undocumented migrants at 3 million in 2013 (RIA Novosti, 2013), whereas the OECD had estimated a total of 5–6 million undocumented migrants in Russia in 2012 (OECD, 2012).

In recent years, the international community has paid greater attention to the plight of migrants in irregular situation, and called upon Governments to address this issue. For example, at the 2010 Global Forum on Migration and Development (GFMD), the Office of the United Nations High Commissioner for Human Rights and the Global Migration Group issued a joint statement expressing concern about the human rights of migrants in irregular situation and called

for an end to their criminalization (United Nations, 2012). The following year, in 2011, the GFMD noted the importance of specific regional dynamics of irregular migration from and to countries in less developed regions, and stressed that further examination of regional differentials in irregular migration was needed (GFMD, 2011a; 2011b). Most recently, the High-level Dialogue on International Migration and Development has called upon Governments to protect the human rights of migrants in irregular situation (United Nations, General Assembly, 2013a)

There is no “one size fits all” policy to curb irregular migration. There is a need to establish comprehensive, rights-based approaches that address the root causes of irregular migration, especially those related to labour market demands.

Countries have responded to address irregular migration by reforming their immigration laws, promoting the return of migrants in irregular situation to their countries of citizenship, and implementing regularization programmes. For instance, Spain regularized more than 570,000 undocumented immigrants in 2005 (Arango, 2013). In Argentina, since 2006, the National Programme for the Standardization of Immigration Documents regularized the status of approximately 13,000 international migrants from countries outside the Southern Common Market (MERCOSUR).<sup>13</sup> Under the same programme, permanent or temporary residence permits were granted to more than 200,000 applicants from the region (United Nations, 2011). In 2011, the Government of Thailand launched a regularization campaign for migrant workers, whereby more than 1 million migrants in irregular situation were reported to have been registered during a one month period (IOM, 2013b).

Among 146 countries with information in 2011, irregular migration was considered as a matter of concern by Governments of all but five countries (table 5.1). Seventy-five per cent of Governments viewed irregular migration in their countries as a major concern, and another 22 per cent viewed it as a minor concern. Countries challenged by irregular migration are not necessarily dissatisfied with their levels of regular migration: out of 108 countries where Governments viewed irregular migration as a major concern in 2011, 71 per cent (77 countries) considered their overall level of regular migration as satisfactory.

Although irregular migration does not affect all countries uniformly, Governments in both more and less developed regions were about equally likely (77 per cent in more developed regions and 73 per cent in less developed regions) to consider irregular migration as a major concern in 2011. Notably, irregular migration was considered a major concern by 84 per cent of Governments in Africa and 79 per cent in Asia. Governments of 29 of the 34 OECD countries considered irregular migration as a major concern in 2011.

Irregular migration was a major concern for Governments of 22 of the 25 countries with the largest migrant stocks, and for Governments of 16 of the 25 countries with the highest percentages of migrants in the total population.

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<sup>13</sup> The Southern Common Market comprises Argentina, the Bolivarian Republic of Venezuela, Brazil, Paraguay and Uruguay.

## **5.2. HUMAN TRAFFICKING**

According to article 3, paragraph (a), of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, human trafficking is defined as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation” (UNODC, n.d.).

The exact number of victims of human trafficking is not known. However, the International Labour Organization (ILO) estimated that 20.9 million people were victims of forced labour globally in 2012. This estimate includes victims of trafficking in persons (ILO, 2012). According to the United Nations Office on Drugs and Crime (UNODC) 2012 Global Report on Trafficking in Persons, between 2007 and 2010, people from at least 136 different nationalities were trafficked and detected in 118 countries. During this time, women accounted for 55–60 per cent of all trafficking victims detected globally, while 27 per cent of all victims were children. Almost half of trafficking flows were intraregional, i.e., victims were trafficked within the region of origin. Approximately one quarter were trafficked interregionally, while another quarter of victims were trafficked domestically (UNODC, 2012).

While human trafficking and migrant smuggling are two distinct crimes, frequently the two phenomena overlap. In the context of increasing control over borders to prevent irregular migration, many potential migrants turn to organized criminal groups to arrange their border crossing. Smuggled migrants are generally unaware of the risks involved in these transactions and they often become victims of abuse by organized crime syndicates. In addition, they are vulnerable to become victims of human trafficking.

The legal frameworks for international cooperation on these issues are the two Protocols to the United Nations Convention against Transnational Organized Crime: (a) the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and (b) the Protocol against the Smuggling of Migrants by Land, Sea and Air. These documents guide the normative and legal response to human trafficking and smuggling crimes at the international level, and provide guidance to Member States to develop policy and legal frameworks to ensure that these instruments can be implemented at the national level.

The adoption of the Trafficking in Persons Protocol triggered the development of specific legislation addressing and criminalizing trafficking in persons at the national level. The number of countries that have adopted such legislation has increased dramatically in the past decade. Before the Protocol came into force, many countries did not have any legislation addressing human trafficking, or only had legislation that covered trafficking of women and children for sexual exploitation. According to the UNODC, the number of countries with legislation criminalizing all or most forms of trafficking doubled between 2003 and 2008, and this positive trend has continued thereafter (UNODC, 2012).

Most recently, in the second High-level Dialogue on International Migration and Development in 2013, Member States adopted a Declaration stressing their commitment to prevent and combat trafficking in persons and human smuggling. In this document, Member States underscored “[t]he need to establish or upgrade, as appropriate, national and regional anti-human trafficking policies” (United Nations, General Assembly, 2013a).

Efforts to address human trafficking and migrant smuggling have been undertaken both at the country and regional levels. Some examples of such efforts are provided below.

Thailand, as a country of origin, transit and destination of victims of human trafficking, has been particularly active in its efforts to fight against this crime. In 2008, it passed the Anti-Trafficking in Persons Act, a comprehensive law that provided a broader definition of human trafficking and imposed heavier penalties to persons involved in this crime. In addition, the country launched awareness-raising activities and campaigns, provided capacity-building to both public and private agencies, and created several mechanisms to strengthen its fight against human trafficking (OSCE, 2009).

In 2006, Brazil developed a national policy to fight human trafficking, establishing for the first time the principles, directives and actions on prevention, repression and prosecution of this crime. It defined and implemented actions in the areas of justice and public security, as well as in the fields of external relations, education, health, social assistance, promotion of racial equality, employment, human rights, women rights, tourism and culture. In 2013, the country approved the II<sup>nd</sup> National Plan to Fight Human Trafficking for the period 2013–2016, which was preceded by the I<sup>st</sup> National Plan that was implemented between 2008 and 2010 (Brazil, Ministry of Justice, 2013).

In 2010, the Arab Initiative for Building National Capacities for Combating Human Trafficking was launched in the Doha Foundation Forum. This initiative seeks to establish an Arab partnership that involves all relevant stakeholders in the region to foster a political consensus for future regional action to combat this crime, and at the same time the national capacities in the relevant governmental and non-governmental bodies to effectively combat human trafficking. Among other objectives, this initiative aims at increasing the compliance of domestic legislation with the Protocol and other human rights legal instruments, raising awareness about human trafficking and the means to combat it, and improving the mechanisms for the identification, referral, support and protection of the victims of human trafficking (Qatar Foundation for Combating Human Trafficking, n.d.).

The current legal framework of the European Union to fight human trafficking is the Directive on Preventing and Combating Trafficking in Human Beings and Protecting its Victims, which was approved in 2011. This directive obliges the member States of the European Union to establish national rapporteurs or equivalent mechanisms for monitoring the implementation of anti-trafficking policies. The European Union also launched the EU Strategy Towards the Eradication of Trafficking in Human Beings 2012–2016 that builds on the priorities identified in the directive and shares its holistic approach, addressing issues on prevention, protection, prosecution and partnerships. Additionally, the Stockholm Programme of 2009, adopted by the

European Council to set a framework on issues of citizenship, justice, security, asylum, immigration and visa policy between 2010 and 2014, stresses the need to further strengthen existing mechanisms in the fight against human trafficking and migrant smuggling (European Commission, 2013).

### **5.3. REFUGEES AND ASYLUM SEEKERS**

According to Article 1 A(2) of the 1951 Convention relating to the Status of Refugees,<sup>14</sup> a refugee is someone who “... owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it” (UNHCR, 2011).

International migration flows have become increasingly mixed, whereby refugees and asylum seekers in need of international protection, move alongside migrants in search of better livelihood. As a result of increasingly mixed migration flows, it has become more difficult to identify refugees and asylum seekers from other international migrants.

By the end of 2012, an estimated 15.4 million people were refugees, including 10.5 million under the mandate of the Office of the United Nations High Commissioner for Refugees (UNHCR) and 4.9 million Palestinian refugees registered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).<sup>15</sup> Another nearly 1 million (937,000) people were asylum seekers. Refugee women and girls accounted for 48 per cent of the refugee population in 2012, a proportion that has remained constant over the past decade. Children below 18 years constituted 26 per cent of the refugee population in 2012 (UNHCR, 2013).

Countries in less developed regions hosted over 87 per cent of the world’s refugees in 2013. The 49 least developed countries were providing asylum to 2.3 million refugees. Jordan hosted the largest number of refugees worldwide (2.6 million), followed by the State of Palestine (2.2 million), Pakistan (1.7 million), the Syrian Arab Republic (1.2 million) and the Islamic Republic of Iran (886,468) (United Nations 2013a). A large majority of all refugees worldwide came from five countries: the State of Palestine, Afghanistan, Somalia, Iraq and the Syrian Arab Republic. The recent unrest in the Syrian Arab Republic, alone, has given rise to over 2.2 million registered refugees as of December 2013 (UNHCR, n.d.).

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<sup>14</sup> The Convention was adopted by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, held at Geneva from 2 to 25 July 1951.

<sup>15</sup> Palestine refugees are defined as “persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict” (UNRWA, n.d.).

The protection of refugees and asylum seekers has been a binding international responsibility since the adoption of the 1951 Convention relating to the Status of Refugees. The Convention set the minimum standards of treatment for refugees, including the basic rights to which they are entitled. It also established the juridical status of refugees and outlined provisions regarding their rights to gainful employment and welfare, identification papers and travel documents, and right to transfer assets to another country where they have been resettled. As an instrument developed after the Second World War, the scope of the 1951 United Nations Convention was limited to persons fleeing events occurring before 1 January 1951 within Europe. In 1967, a Protocol relating to the Status of Refugees was formulated to remove these limitations, giving universal coverage to the Convention (UNHCR, 2011). As of December 2013, 145 States were Parties to the 1951 Convention, and 146 to the 1967 Protocol (United Nations, n.d.).

Several regional regulations and conventions have also addressed the definition and conditions of refugees. For instance, the European Union and its member States adopted the common European asylum system through the adoption of the Dublin III Regulation in July 2013<sup>16</sup> (Official Journal of the European Union, 2013). In Africa, among the most important conventions is the 1969 Convention Governing the Specific Aspects of Refugees in Africa adopted by the former Organization of African Unity (OAU) (D'Orsi, 2012). Latin American countries adopted the Cartagena Declaration on Refugees in 1984 (UNHCR, 1984). This Declaration is a non-binding agreement but has been incorporated in refugee laws in a number of Latin American countries. The Cartagena Declaration, like the 1969 OAU Convention, broadened the definition of the term “refugee” as found in the 1951 Convention to include persons who have fled their country because their lives, safety or freedom were threatened by generalized violence, foreign aggression, internal conflicts or massive violation of human rights.

In recent years, it has become increasingly difficult to find countries willing to accept substantial numbers of refugees. Moreover, some who seek asylum or claim refugee status may have migrated to escape poverty and may not qualify for refugee status. *De facto*, some countries have established separate humanitarian categories for those who do not fit in the 1951 United Nations Convention. For example, Brazil has seen a large number of immigrants from Haiti since the 2010 earthquake. To address this humanitarian crisis, in January 2012, the Brazilian Government created a special visa for Haitians, named Humanitarian Visa. This visa can be issued to Haitians that live in Haiti and have no criminal record. There are no requirements regarding educational or professional qualifications or employment status. The visa is valid for five years, after which the Haitian migrant will have to demonstrate means of subsistence in Brazil (Brazil, Ministry of Labour, 2012).

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<sup>16</sup> Refers to the adoption of Regulation (EU) No. 604/2013 of the European Parliament and of the European Council of 26 June 2013, which established the criteria and mechanisms for determining the member State responsible for examining an application for international protection lodged in one of the member States by a third-country national or a stateless person.

## **Chapter 5**

### **Table**



**Table 5.1. Government level of concern about irregular migration, 2011**

Year	Number of countries				Percentage			
	Major concern	Minor concern	Not a concern	Total	Major concern	Minor concern	Not a concern	Total
<b><u>By level of development</u></b>								
<i>World</i>								
2011	109	32	5	146	75	22	3	100
<i>More developed regions</i>								
2011	37	9	2	48	77	19	4	100
<i>Less developed regions</i>								
2011	72	23	3	98	73	23	3	100
<i>Least developed countries</i>								
2011	18	4	1	23	78	17	4	100
<b><u>By major area</u></b>								
<i>Africa</i>								
2011	26	3	2	31	84	10	6	100
<i>Asia</i>								
2011	26	6	1	33	79	18	3	100
<i>Europe</i>								
2011	33	8	2	43	77	19	5	100
<i>Latin America and the Caribbean</i>								
2011	18	12	0	30	60	40	0	100
<i>Northern America</i>								
2011	1	1	0	2	50	50	0	100
<i>Oceania</i>								
2011	5	2	0	7	71	29	0	100



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