

**PART ONE: INTERNATIONAL MIGRATION
LEVELS, TRENDS AND POLICIES**

I. TRENDS IN THE INTERNATIONAL MIGRANT STOCK

In 2005, the number of international migrants in the world reached almost 191 million, up from 155 million in 1990. As shown in table 3, the number of international migrants increased by 10 million from 1990 to 1995, going from 155 to 165 million. The estimated increase was close to 12 million from 1995 to 2000 and above 14 million from 2000 to 2005. International migrants constituted 3 per cent of the world population in 2005.

TABLE 3. ESTIMATED NUMBER OF INTERNATIONAL MIGRANTS, THEIR PERCENTAGE DISTRIBUTION AND THEIR SHARE IN THE POPULATION, 1990-2005

<i>Development group and major area</i>	<i>Number of international migrants (millions)</i>				<i>Percentage distribution of international migrants</i>		<i>International migrants as a percentage of the population</i>	
	<i>1990</i>	<i>1995</i>	<i>2000</i>	<i>2005</i>	<i>1990</i>	<i>2005</i>	<i>1990</i>	<i>2005</i>
World	154.8	165.1	176.7	190.6	100.0	100.0	2.9	3.0
More developed regions	82.4	94.9	105.0	115.4	53.2	60.5	7.2	9.5
Less developed regions	72.6	70.2	71.7	75.2	46.8	39.5	1.8	1.4
Least developed countries	11.0	12.2	10.2	10.5	7.1	5.5	2.1	1.4
Africa	16.4	17.9	16.5	17.1	10.6	9.0	2.6	1.9
Asia	49.8	47.2	50.3	53.3	32.2	28.0	1.6	1.4
Latin America and the Caribbean	7.0	6.1	6.3	6.6	4.5	3.5	1.6	1.2
Northern America	27.6	33.6	40.4	44.5	17.8	23.3	9.7	13.5
Europe	49.4	55.3	58.2	64.1	31.9	33.6	6.8	8.8
Oceania	4.8	5.1	5.1	5.0	3.1	2.6	17.8	15.2

Source: Trends in the Total Migrant Stock: The 2005 Revision (United Nations, POP/DB/MIG/Rev.2005), data in digital form, 2006.

Developed countries absorbed most of the increase in the number of international migrants between 1990 and 2005 (33 out of 36 million). In developing countries, the migrant stock stagnated during the period—it declined in 1990-1995 and increased slowly from 1995 to 2005. The increase in the number of international migrants in certain developing countries was counterbalanced by declines in the number of migrants in other developing countries. The repatriation of refugees, in particular, counterbalanced the increases in economically motivated migration in Asia and in other parts of the developing world.

As a result of these trends, there is an increasing concentration of international migrants in the developed world. The proportion of the global migrant stock living in developed countries rose from 53 per cent in 1990 to 60 per cent in 2005. Furthermore, migrants are increasingly concentrated in certain regions. Specifically, the proportion of migrants living in Northern America increased from 18 per cent in 1990 to 23 per cent in 2005, and the share of Europe rose from 32 per cent to 34 per cent. In 2005, one in every three international migrants lived in Europe and about one in every four lived in Northern America. The increase in the number of migrants in Northern America is particularly noteworthy: between 1990 and 2005, the migrant stock grew at an average rate of 3.2 per cent per year, faster than in any other region. The proportion of international migrants living in all other regions—Africa, Asia, Latin America and the Caribbean and Oceania—dropped between 1990 and 2005 (Table 3). Although Asia still accounts for a significant proportion of all international migrants, 28 per cent in 2005, this proportion has fallen from 32 per cent in 1990.

Relative to the total population, the proportion of migrants increased between 1990 and 2005 in the more developed regions and declined in the less developed regions. In 2005, international migrants constituted the largest share of the population in Oceania (15 per cent), Northern America (14 per cent) and Europe (9 per cent). In contrast, international migrants accounted for less than 2 per cent of the total population in Africa, Oceania and Latin America and the Caribbean. Moreover, the proportion of international migrants in the total population has declined in these three regions since 1990.

The drop in the number of refugees is one of the main reasons for the slow increase in the number of migrants in most developing regions and the decline observed in Latin America and the Caribbean and the group of least developed countries. The number of refugees in developing regions dropped from 16.5 million in 1990 to an estimated 10.8 million in 2005. The end of long-standing conflicts, particularly in Africa and Central America, led to the repatriation of large numbers of refugees that were under the mandate of the Office of the United Nations High Commissioner for Refugees (UNHCR). By 2005, the total number of refugees under UNHCR's mandate was approximately 9.2 million and an additional 4.3 million refugees were under the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Refugees accounted for 7 per cent of the migrant stock in 2005. However, they constituted almost 18 per cent of all international migrants in Africa and 15 per cent of those in Asia. Particularly large populations of refugees were present in Western Asia (4.7 million) and in South-central Asia (2.3 million).

A relatively small number of countries host the majority of international migrants. In 1990, the 30 countries with the largest migrant populations accounted for 75 per cent of all international migrants and, in 2005, just 28 countries accounted for the same proportion. The United States headed the list in both years, hosting 15 per cent of all migrants in 1990 and 20 per cent in 2005 (table 4). However, the share of receiving countries other than the United States declined during the period. Namely, excluding the United States, 18 countries hosted half of all migrants in 1990 but, in 2005, the number of countries that accounted for this proportion had increased to 22; similarly, 60 per cent of all migrants lived in 29 receiving countries in 1990, but were spread among 35 receiving countries in 2005. International migrants have increasingly concentrated in one country, the United States, but destinations other than the United States have diversified.

While international migrants accounted for small proportions of the population of many countries in both 1990 and 2005, the number of countries where the share of migrants exceeded 10 per cent increased from 73 in 1990 to 79 in 2005 (figure 1). Only 30 of these countries had populations of at least one million in 1990 but, by 2005, their number increased to 35. In 2005, countries with at least 20 million inhabitants where international migrants constituted high shares of the population included Australia (20 per cent), Canada (19 per cent), France (11 per cent), Germany (12 per cent), Saudi Arabia (26 per cent), Spain (11 per cent), Ukraine (15 per cent) and the United States (13 per cent).

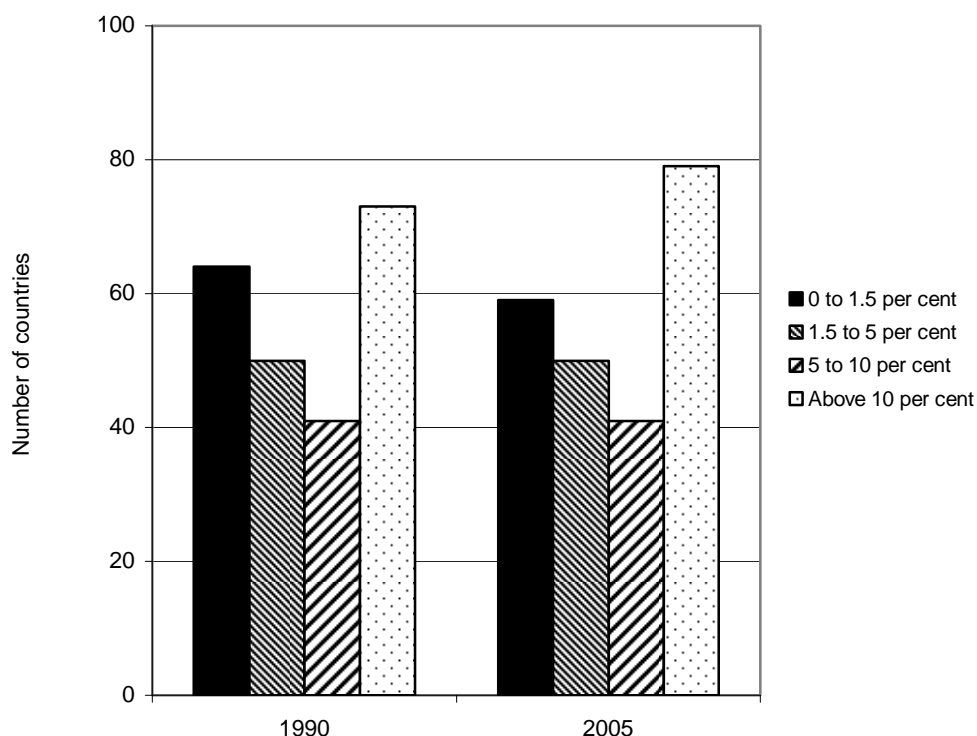
The proportion of women and girls among international migrants was nearly 50 per cent in 2005, up from 49 per cent in 1990 (table 5). In developed countries, female migrants accounted for 52 per cent of international migrants throughout the period, but their share was markedly lower in developing countries, at 46 per cent. By 2005, female migrants outnumbered male migrants in Europe, Northern America, Oceania and in Latin America and the Caribbean. In Europe, female migrants accounted for over 53 per cent of the migrant stock in 2005. In contrast, females were underrepresented among the migrant populations of Africa and Asia. In fact, the proportion of female migrants experienced a slight decline in Asia during the period, due to a reduction in the proportion of females in some member States

TABLE 4. THE THIRTY COUNTRIES OR AREAS WITH THE HIGHEST NUMBERS OF INTERNATIONAL MIGRANTS, 1990 AND 2005

Rank	Country or area	1990				2005				
		Migrant stock (millions)	As percentage of total	Cumulated percentage	Cumulated percentage, excluding the United States	Country or area	Migrant stock (millions)	As percentage of total	Cumulated percentage	Cumulated percentage, excluding the United States
1	United States of America	23.3	15.0	15.0		United States of America	38.4	20.1	20.1	
2	Russian Federation	11.5	7.4	22.4	7.4	Russian Federation	12.1	6.3	26.4	6.3
3	India	7.5	4.8	27.3	12.2	Germany	10.1	5.3	31.7	11.6
4	Ukraine	7.1	4.6	31.8	16.8	Ukraine	6.8	3.6	35.3	15.2
5	Pakistan	6.6	4.3	36.1	21.1	France	6.5	3.4	38.7	18.6
6	Germany	5.9	3.8	39.9	24.9	Saudi Arabia	6.4	3.4	42.1	21.9
7	France	5.9	3.8	43.7	28.7	Canada	6.1	3.2	45.3	25.1
8	Saudi Arabia	4.7	3.0	46.8	31.7	India	5.7	3.0	48.3	28.1
9	Canada	4.3	2.8	49.5	34.5	United Kingdom	5.4	2.8	51.1	31.0
10	Australia	4.0	2.6	52.1	37.1	Spain	4.8	2.5	53.6	33.5
11	Iran (Islamic Republic of)	3.8	2.5	54.6	39.5	Australia	4.1	2.2	55.8	35.6
12	United Kingdom	3.8	2.5	57.0	42.0	Pakistan	3.3	1.7	57.5	37.4
13	Kazakhstan	3.6	2.3	59.4	44.3	United Arab Emirates	3.2	1.7	59.2	39.0
14	China, Hong Kong SAR	2.2	1.4	60.8	45.7	China, Hong Kong SAR	3.0	1.6	60.8	40.6
15	Côte d'Ivoire	2.0	1.3	62.1	47.0	Israel	2.7	1.4	62.2	42.0
16	Uzbekistan	1.7	1.1	63.2	48.1	Italy	2.5	1.3	63.5	43.3
17	Argentina	1.6	1.0	64.2	49.2	Kazakhstan	2.4	1.3	64.7	44.6
18	Israel	1.6	1.0	65.2	50.2	Côte d'Ivoire	2.2	1.2	65.9	45.8
19	Kuwait	1.6	1.0	66.3	51.2	Jordan	2.2	1.2	67.1	46.9
20	Switzerland	1.4	0.9	67.2	52.1	Japan	2.0	1.0	68.1	48.0
21	Italy	1.3	0.8	68.0	53.0	Iran (Islamic Republic of)	2.0	1.0	69.2	49.0
22	United Arab Emirates	1.3	0.8	68.8	53.8	Singapore	1.8	0.9	70.1	50.0
23	Sudan	1.3	0.8	69.7	54.7	Occupied Palestinian Territory	1.7	0.9	71.0	50.8
24	Belarus	1.3	0.8	70.5	55.5	Ghana	1.7	0.9	71.9	51.7
25	South Africa	1.2	0.8	71.3	56.3	Kuwait	1.7	0.9	72.8	52.6
26	Netherlands	1.2	0.8	72.1	57.0	Switzerland	1.7	0.9	73.7	53.5
27	Malawi	1.2	0.8	72.8	57.8	Malaysia	1.6	0.8	74.5	54.4
28	Ethiopia	1.2	0.8	73.6	58.6	Netherlands	1.6	0.8	75.3	55.2
29	Turkey	1.2	0.8	74.4	59.4	Argentina	1.5	0.8		56.0
30	Jordan	1.1	0.7	75.1	60.1	Turkey	1.4	0.7		56.7

Source: Trends in the Total Migrant Stock: The 2005 Revision (United Nations, POP/DB/MIG/Rev.2005), data in digital form, 2006.

Figure 1. Distribution of countries by the percentage of migrants in the population, 1990 and 2005



Source: Trends in the Total Migrant Stock: The 2005 Revision (United Nations, POP/DB/MIG/Rev.2005), data in digital form, 2006.

of the Gulf Cooperation Council (GCC) and in several countries of South-central Asia. Therefore, although there has been an increase in the worldwide proportion of female migrants, such an increase has not been universal.

In sum, the number of international migrants reached 191 million in 2005, and nearly half of them were female. Developed countries absorbed most of the 36 million increase in the number of international migrants between 1990 and 2005. In developing countries, the growth in the number of international migrants was slow, mainly because of the repatriation of refugees. As a result, there has been a growing concentration of migrants in the developed world, where migrants also represent a higher proportion of the total population. One country, in particular, has seen its share of the migrant stock grow: the United States. At the same time, there has been an increasing diversity in countries of destination other than the United States. Reflecting this increased diversity, the number of countries in which migrants exceeded 10 per cent of the population increased between 1990 and 2005.

TABLE 5. FEMALE MIGRANTS AS A PERCENTAGE OF ALL INTERNATIONAL MIGRANTS, 1990 AND 2005

<i>Major area</i>	<i>Percentage of female migrants</i>	
	<i>1990</i>	<i>2005</i>
World	49.0	49.6
More developed regions	52.0	52.2
Less developed regions	45.7	45.5
Least developed countries	46.2	46.5
Africa	45.9	47.4
Asia	45.1	44.7
Latin America and the Caribbean	49.7	50.3
Northern America	51.0	50.4
Europe	52.8	53.4
Oceania	49.1	51.3

Source: Trends in the Total Migrant Stock: The 2005 Revision (United Nations, POP/DB/MIG/Rev.2005), data in digital form, 2006.

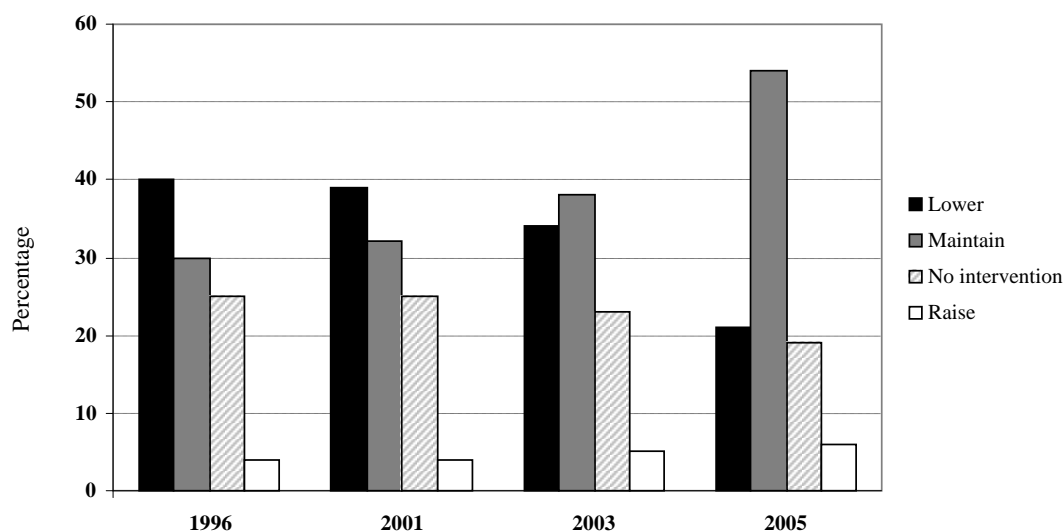
II. GOVERNMENT VIEWS AND POLICIES ON INTERNATIONAL MIGRATION

Substantial changes in government perceptions of migration trends have taken place since 1990 as Governments around the world react to the challenges and opportunities associated with international migration. In 1996, the proportion of Governments having the goal of reducing the inflows of migrants peaked at 40 per cent (United Nations, 2004). Since then, the proportion of Governments reporting that they wish to reduce migrant inflows has fallen almost by half; and over the past decade, the Governments of many receiving countries have been actively adopting or amending laws and regulations so as to facilitate the inflow of the types of migrants they need, especially skilled migrants and temporary low-skilled workers. Concomitantly, measures to prevent and combat clandestine inflows have increased in number and are being strengthened. In addition, the proportion of Governments wishing to lower emigration has remained at about 25 per cent since 1986; and countries of origin have become more active in encouraging the return of their citizens from abroad and in strengthening links with their expatriate communities so as to harness the potential contributions of those communities to propelling development. The present section reviews the changing attitudes of Governments regarding immigration and emigration and discusses developments in the policy arena with respect to specific types of inflows.

A. GOVERNMENT VIEWS ON LEVELS OF IMMIGRATION AND EMIGRATION

Since the mid-1990s, Governments are increasingly reporting that they wish to maintain their levels of immigration and are less inclined to take action to restrict those levels (United Nations, 2006). As of 2005, only 22 per cent of countries wanted to lower immigration, down from 40 per cent in 1996 (see figure 2). Furthermore, the proportion of countries seeking to maintain the prevailing level of immigration rose from 30 per cent in 1996 to 54 per cent in 2005, whereas the proportion seeking to raise levels remained constant at about 5 per cent. While in 1996 one quarter of all countries had reported no intervention with respect to immigration, one fifth did so in 2005. These mostly include countries in Africa that are experiencing net emigration and whose borders are difficult to supervise.

Figure 2. Government policies on immigration, 1996, 2001, 2003 and 2005



Source: *World Population Policies, 2005*, Sales No. E.06.XIII.5.

Among the 78 countries wishing to lower immigration in 1996, 35 now report that they wish to maintain their current level, 7 that they are not planning any intervention to modify immigration levels, and 5 that they seek to increase immigration. The remaining 31 continue to pursue the goal of lowering immigration. These changes of view reflect an improved understanding of the consequences of international migration and a growing recognition on the part of Governments of the need to manage migration instead of restricting it. They also reflect the persistence of labour shortages in certain sectors; the increasing regional harmonization of migration policies; the expanding global economy; and reactions to long-term trends in population ageing.

The trend away from restricting immigration is more pronounced among developed countries, 60 per cent of which had wished to lower immigration in 1996, but only 12 per cent of which wished to do so in 2005. Today, just six developed countries wish to reduce immigration: Denmark, Estonia, France, Italy, the Netherlands and Romania. Despite having this goal, Denmark, France and the Netherlands hope to admit more skilled workers, while Italy promotes the admission of migrant workers on a temporary basis. Four developed countries—Australia, Canada, the Czech Republic and the Russian Federation—promote immigration actively so as to increase the number of admissions in line with national needs.

Among developing countries, the proportion with policies to lower immigration has also declined: from one third in 1996 to one quarter in 2005. In Latin America and the Caribbean, only four countries report that they wish to restrict migration inflows: the Bahamas, Belize, Ecuador and Panama. In Asia, the continent with the highest proportion of countries reporting that they wish to lower immigration, changes of views have been very recent. Thus, whereas in 2003 half of all countries in Asia had wished to lower immigration, by 2005 only one third said they wished to do so. Member States of the GCC have long maintained policies to restrict migrant inflows in order to reduce their dependence on foreign workers and have been trying to foster increased employment among their nationals. For instance, in 2003, the Government of Saudi Arabia set the goal of reducing the number of migrant workers to at most 20 per cent of the population by 2013, a goal that, if achieved, would mean a reduction of the current migrant stock by at least 3 million.

With respect to emigration, about one quarter of all Governments report that they wish to lower emigration, a proportion that has remained virtually unchanged since 1986. Fifty-three countries are concerned about emigration, with four noting their concern about the loss of highly skilled workers. By contrast, 11 countries—Bangladesh, India, Indonesia, Jordan, Nepal, Pakistan, Thailand, Tunisia, Tuvalu, Viet Nam and Yemen—seek to increase emigration (United Nations, 2006). The major countries of origin of migrant workers, such as Bangladesh, India, Pakistan, the Philippines, Sri Lanka, Thailand and Viet Nam, have established special units to manage worker migration and protect the rights and safety of their migrants abroad (Organization for Economic Cooperation and Development, 2004).

In response to the high emigration of skilled workers, particularly from small and low-income countries, their Governments have adopted initiatives to encourage their return. In 2005, 72 countries had policies and programmes to encourage the return of their nationals, up from 59 in 1996. Among those 72 countries, 59 were developing countries (United Nations, 2006). Of particular importance has been the emigration of medical personnel from countries that sorely need them. Measures to retain such skilled personnel are also being developed.

Given the importance of remittances for the economies of many countries of origin, their Governments have been implementing policies to increase remittance flows, promote transfers through formal channels, reduce the cost of transfers, and channel remittances into productive investment. The measures taken include tax exemptions on remittances income, improved access to banking services for senders and receivers of remittances, cooperation with countries of destination to allow domestic banks to operate overseas and reduction of duties on goods sent home by migrants (World Bank, 2006). In

addition, Governments of countries of origin have been active in encouraging migrants abroad to channel remittances into projects in their communities of origin. For instance, in Mexico, the local, State and federal authorities provide a 3-for-1 match for every dollar that communities abroad provide for the financing of community projects (United Nations, 2004).

Lastly, an important way of maintaining ties with expatriates has been to allow dual citizenship. In 2002, some 35 countries recognized dual citizenship. In recent years, India, the Dominican Republic, Mexico and the Philippines, all major sources of migrants, have adopted legislation allowing dual citizenship.

B. POLICIES ON THE ADMISSION OF HIGHLY SKILLED MIGRANTS

An increasing number of countries favour the admission of migrants with needed skills to satisfy demand in the science and technology sectors of their economies. Some 30 countries, including 17 developed countries, have policies or programmes to promote the admission of highly skilled workers (United Nations, 2006). Thus relatively few developing countries have policies to encourage skilled migration, although their needs for skilled personnel, especially in management or engineering, are substantial. Furthermore, five developing countries—Bhutan, Botswana, Jordan, Saudi Arabia and the United Arab Emirates—report that they wish to reduce the inflow of skilled foreign workers in order to improve the employment prospects for their nationals.

Countries of immigration have long had policies favouring the admission of skilled immigrants. In Australia and Canada, applicants for permanent residence are selected on the basis of a point system that assigns higher scores to persons with degrees or diplomas recognized in Australia and at least three years of work experience; in Canada, higher scores are assigned to individuals with upper-secondary or university education. Since 1965, the United States has had an employment-based preference to accommodate the admission of immigrants with needed skills; the ceiling for visas in that category was raised to 140,000 annually by the Immigration Act of 1990. Moreover, the United States has several visa categories allowing the temporary admission of skilled personnel. The largest numbers are admitted under the H-1B programme whose ceiling of 65,000 beneficiaries established by the Immigration Act of 1990 had been raised to 115,000 for fiscal years 1999 and 2000, and then to 195,000 for fiscal years 2001-2003 before it reverted to 65,000 (United States Immigration and Naturalization Service, 2002). In Australia, the Government increased the ceiling for immigration in 2002 and allocated a large part of that increase to the skills category (United Nations, 2003). In New Zealand, the Government amended in 2003 the selection criteria for skilled immigrants so as to better match its needs and took measures to facilitate the transition of skilled migrant workers from temporary to permanent status.

Since 1990, several European countries have relaxed restrictions on the admission of highly skilled workers. In France, the immigration law of 1998 created a special status for scientists and scholars and eased the conditions for the admission of highly skilled workers in information technology. In Germany, a special programme allowing the recruitment of foreign workers in information technology had been started in August 2000 and was extended to the end of 2004. The 2004 Immigration Act then eased conditions for the recruitment of certain categories of skilled workers and for their permanent settlement. It also allowed the admission of foreign investors. In the United Kingdom, a trial programme introduced early in 2002 allows highly skilled foreign workers to enter the country to seek employment for up to a year. In 2003, the Czech Republic started a project to recruit highly skilled foreign workers using a points system. Denmark, the Netherlands, Sweden and the United Kingdom offer various tax abatements or exemptions to skilled migrants (United Nations, 2003). Lastly, the EU adopted in 2005 a directive on the recognition of professional qualifications to promote the mobility of skilled personnel within the Union (Council of the European Union, 2005).

In Asia, several countries have also taken measures to promote the inflow of skilled migrants: Japan relaxed restrictions on the admission of engineers and other specialists; the Republic of Korea revised its immigration law to facilitate the entry of professionals and technicians; and Singapore modified its regulations to allow well-educated foreigners with good earning potential to apply for permanent residence (United Nations, 2003).

C. POLICIES ON THE ADMISSION OF LOW-SKILLED MIGRANTS

Labour shortages have been common not only at the high end of the occupational hierarchy, but also at the low end where, in prosperous and dynamic economies, native workers shun jobs that are difficult or demanding or carry little prestige. Governments have been addressing labour shortages in low-skilled sectors of the economy (for example, agriculture, construction, hospitality and domestic services, etc.) by developing temporary worker programmes. These programmes usually allow the admission of low-skilled foreign workers for fixed periods of time under temporary labour contracts. Some programmes set quotas or limits on the number of admissions per year and admission is contingent on proving that there are no citizens willing to take a given job.

Several countries in Asia admit large numbers of migrant workers under temporary worker programmes. All the GCC countries plus Hong Kong Special Administrative Region of China, Malaysia, the Republic of Korea, Singapore and Thailand have policies to admit low-skilled migrants. The employment and stay of migrant workers in those countries are usually regulated through the issuance of work permits tied to a particular employer. In Europe, the Russian Federation enacted in 2002 a law allowing the issuance of work permits for persons wishing to work for up to one year as well as permits for temporary residents who can stay and work up to three years. In Africa, South Africa uses bilateral agreements to manage the temporary admission of migrant workers from neighbouring countries who are needed by the mining sector.

Although the bulk of international labour migration occurs outside the channels created by bilateral agreements, at least 176 bilateral agreements on various forms of labour mobility were in force in 2003 in OECD countries (Organization for Economic Cooperation and Development, 2004). The forms of mobility covered by agreements include international movements of cross-border workers, seasonal workers, contract and project-linked workers, guest workers, trainees and working holiday makers. Some agreements refer to recruitment of workers for a particular sector (for example, agriculture) or to workers in a particular occupation (for example, nurses or caregivers). With the opening of the borders of Eastern European countries, the number of bilateral labour agreements in the region increased fivefold in the early 1990s. More recently, Italy, Portugal and Spain, responding to labour shortages, have been concluding a new wave of bilateral agreements. Germany, Poland, Slovakia and Spain are the countries in Europe with the largest number of labour agreements (Organization for Economic Cooperation and Development, 2004). Most of Germany's agreements are with Eastern European countries, while those of Spain are with Latin American countries. Despite the rising number of labour agreements and of countries involved, the volume of labour migration under existing agreements remains relatively small.

A number of developed countries have special programmes for the admission of low-skilled workers. Canada, Germany, Spain, the United Kingdom and the United States are among the countries having seasonal worker programmes, mainly to satisfy labour demands in agriculture. In addition, Australia, Canada, Japan, New Zealand and the United Kingdom have programmes to allow young citizens of selected countries to travel and work within the host country for periods that can last for one or two years (working holiday maker programmes). These young migrants are most likely to find temporary jobs in

low-skilled occupations. Similarly, the admission of trainees by Japan and the Republic of Korea are used to address labour shortages in low-skilled occupations.

Countries experiencing labour shortages sometimes respond by tolerating the presence of migrants in an irregular situation. Both developed and developing countries have found themselves in this situation and several have responded by undertaking regularization programmes to provide the migrants concerned with security of status and to gain control over the management of labour migration.

D. POLICIES ON FAMILY REUNIFICATION

Most receiving countries have provisions allowing family reunification under certain conditions. Although the legal basis for family reunion is set out in international instruments establishing an individual's right to family life and in national legislation, the interpretation of what constitutes family reunification and the determination of the conditions under which it is permissible vary among countries. Generally, a fundamental distinction is made between temporary migrants and those with long-term residence. Foreigners granted temporary permission to stay, work or study are usually not allowed to bring in their families, unless they are highly skilled (SOPEMI, 2001). Only migrants with longer-term and secure residence rights are granted permission to bring in their families. There is also considerable variation regarding the family members allowed to reunite. Usually, they include spouses and minor children only. Furthermore, in order to prevent the use of marriages of convenience to abuse family reunification provisions, restrictions are often put on the length of the marriage or the minimum age of spouses, and a minimum period of cohabitation may be required. It is also common to require that the sponsor show solvency or earn a wage above a certain minimum.

In recent years, concern about the fraudulent use of family reunification provisions has led to the tightening of rules on family reunification. Ireland, for instance, has restricted the ability of foreign parents of children born in Ireland to apply for residence permits. The Netherlands has increased both the minimum age of spouses from 18 to 21 years and the minimum wage that the sponsor must earn. In Denmark, Danish citizens must prove solvency and post a bond to bring in their foreign spouses and both spouses must be at least 24 years of age. Norway has also increased the minimum wage needed to prove solvency; and in France, reuniting spouses are granted initially a residence permit for five years, while cohabitation for two years is required in order for long-term residence to be granted. Switzerland also requires that foreign spouses of Swiss citizens remain five years in a temporary status before they can become eligible for permanent residence. In contrast to these changes towards greater restrictiveness, Canada relaxed some of its family reunification provisions in 2002 by increasing to 22 years the maximum age for dependent children and reiterating that parents and common-law spouses were eligible for family reunification.

Although some of the changes listed have resulted in lower levels of migration for family reunification over the short run, it is unlikely that this type of migration will cease to be important, especially since the number of marriages between persons of different citizenships increases with rising migration and travel among young single persons, and since migration for family reunification constitutes a response to the sex imbalances in certain countries.

E. POLICIES ON MIGRANT INTEGRATION AND NATURALIZATION

Receiving countries are increasingly adopting policies that focus on the integration of migrants. In 2005, 75 countries reported programmes designed to integrate non-nationals, up from 52 countries in 1996 (United Nations, 2006). Integration policies are found in 37 developed countries and 38 developing

countries. The integration programmes of developed countries generally recognize and promote the benefits that diversity brings to their society. Integration initiatives recognize the importance of avoiding all types of discrimination and generally include provisions to protect the religious freedom of migrants. Recognizing that integration proceeds better if migrants have a good command of the local language, receiving countries often provide special language training and courses on local mores and culture. Some countries require proof of language ability and other elements of successful integration before admitting migrants and allowing family reunification.

A major source of concern regarding the integration prospects of migrant communities is the poor academic performance of the second generation and the greater likelihood of unemployment and welfare dependency among migrants than among non-migrants. In the EU, for instance, unemployment levels among foreigners are almost twice as high as those among EU citizens (European Commission, 2004). To improve the labour-market performance of migrants, several receiving countries have language and vocational training programmes, often focusing specifically on migrant women who tend to have greater limitations in respect of finding jobs. In addition, countries such as the Netherlands and Sweden have programmes offering incentives to employers to hire the long-term unemployed, which have proved beneficial to migrants.

Generally, foreigners do not enjoy the same rights as citizens. Hence, acquiring the citizenship of the host country is a major step towards successful integration. Countries of immigration have traditionally allowed the relatively rapid naturalization of foreigners admitted as immigrants. In other countries, naturalization has not been seen as an automatic outcome. In recent years, Germany, Luxembourg, Saudi Arabia, Spain and Ukraine have eased the procedures for obtaining naturalization, at least for some groups of migrants. However, a number of European countries, including Austria, Denmark, Estonia, Latvia, Lithuania and the Netherlands, have made their naturalization provisions more restrictive by imposing language ability requirements. Italy has increased the length of residence required to obtain citizenship and Ireland has discontinued the practice of automatically granting the right to obtain citizenship for persons born in Ireland.

F. REFUGEE AND ASYLUM POLICIES

The 1951 Convention relating to the Status of Refugees and the 1967 Protocol are the major international instruments determining policies towards refugees. By early 2006, 143 States had ratified both instruments and another 6 had ratified only one of them. There were 41 new ratifications during 1990-2004, with 21 occurring during 1990-1994. The high number of ratifications during the early 1990s had resulted from the accession of several newly independent States in Europe and Asia, many of which were experiencing significant forced migration at the time. Most refugees are hosted by States that are parties to the 1951 Convention or the 1967 Protocol thereto (84 per cent in early 2004). Among the 147 countries hosting refugees in 2004, 123 were parties to the two main international instruments relating to refugees.

Since 1990, Governments have been successful in finding solutions to the plight of long-standing refugee populations. During 1990-2004, 21 million refugees were able to return to their countries of origin, generally with the assistance of UNHCR. In addition, 1.7 million refugees were resettled in third countries. With durable solutions consistently exceeding new refugee outflows in recent years, the number of refugees under UNHCR mandate dropped from 15.9 million in 1990 to 9.2 million by 2005.

The rising number of asylum applications in developed countries, particularly since the late 1980s, has led to a succession of policy changes. In Europe, EU member States have tried to tighten external borders while relaxing internal border controls under the Convention Implementing the Schengen

Agreement (1990) and the Treaty of Maastricht (entry into force 1993). Carrier sanctions, first adopted in 1987 by Germany and the United Kingdom, had become standard in developed countries by 2000. The Schengen countries extended visa requirements to a common list of countries (73 in 1993 and 150 by 1998). The 1990 Dublin Convention prevented asylum-seekers from lodging applications in several countries by determining which State should process each application. In 1992, at a ministerial meeting held in London, EU member States agreed to apply the concept of “safe third country” which allowed them to refuse the asylum claims of persons who had transited through countries where asylum could have been sought. Similarly, a list of “safe countries of origin” was established and used to expedite asylum claims from citizens of those countries, who were presumed to be at a very low risk of persecution.

Since 1999, there has been a concerted effort to harmonize asylum policies across the EU. The first stage of this process culminated in April 2004 with the adoption of measures designed to identify a single member State responsible for each asylum claim (Dublin II and EURODAC regulations) and the introduction of three directives establishing minimum standards relating to temporary protection, reception of asylum-seekers and beneficiaries of subsidiary protection (United Nations High Commissioner for Refugees, 2005). Several EU member States have also adopted measures to limit social benefits to asylum-seekers whose applications have been rejected and to facilitate their return.

G. POLICIES TO ADDRESS IRREGULAR MIGRATION

Migrants with an irregular status are those who enter a country without proper authorization or who have violated the terms of stay of the authorization they hold, including by overstaying. Governments may return or deport foreigners whose status is irregular. Some Governments have concluded readmission agreements to ensure that foreigners in an irregular status who lack proper documentation validating their origin are nevertheless admitted by countries of origin if they are expelled. Also used are bilateral agreements between receiving countries and those through which migrants transit to ensure the cooperation of the latter in trying to stop the flow. Turkey and several countries in Northern Africa have become transit points for growing numbers of persons from Asia and sub-Saharan Africa trying to enter EU clandestinely. Persons from all over the world trying to enter the United States often clandestinely transit through Mexico or countries in Central America or the Caribbean. Countries of transit are increasingly taking measures to intercept these migrants and prevent them from reaching their intended destination.

Concern about clandestine entry of foreigners has grown in the aftermath of the terrorist attacks of 11 September 2001 and the bombings in Bali, Casablanca, Madrid and London. In response, Governments have introduced more stringent requirements for granting visas or have imposed visa requirements for nationals of countries that consistently produce unauthorized migrants. Growing numbers of countries are issuing machine-readable travel documents, passports with enhanced security features that are difficult to counterfeit and counterfeit-proof visa stamps, thus making it more difficult to tamper with official travel documents. In addition, Governments are increasingly sharing intelligence on suspected individuals and are enhancing cooperation in border control.

It is estimated that nearly half of the migrants who enter countries clandestinely do so through smuggling or trafficking (International Organization for Migration, 2003). According to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, “smuggling of migrants” means the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State of which the person is not a national or a permanent resident (article 3 (a)). According to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

supplementing the United Nations Convention against Transnational Organized Crime, “trafficking of persons” means the recruitment, transportation, transfer, harbouring or receipt of persons by improper means, such as force, abduction, fraud or coercion, for an improper purpose, like forced or coerced labour, servitude, slavery or sexual exploitation. Those organizing smuggling or trafficking activities range from small-scale operators who provide transport across borders to international criminal networks that provide the full range of services, including counterfeit documentation, transportation and assistance in crossing borders, and housing and illegal employment in receiving countries. Trafficked women, in particular, frequently find themselves forced into prostitution, marriage, domestic work, work in sweatshops and other forms of exploitation.

A major recent development has been the adoption by the General Assembly in 2000 of the protocols on smuggling and trafficking cited above and their widespread ratification. As a result of increasing awareness about the extent of smuggling and trafficking activities, many Governments have criminalized activities related to smuggling or trafficking that had not been considered crimes before. Furthermore, most receiving countries have either introduced new sanctions or increased the penalties for smugglers, migrants in an irregular situation, and persons who employ them.

H. POLICIES REGARDING STUDENT MIGRATION

Together with the increasing internationalization of education, the number of persons migrating in order to study abroad has been rising with developed countries being the main destinations of migrant students. Although the data available on foreign students enrolled in institutions of higher education do not permit individuals who migrated in order to study to be distinguished from those who were raised in the country of study and are just completing their education therein, other evidence suggests that the presence of increasing numbers of foreign students in tertiary education owes much to migration for the purpose of studying abroad.

The United States stands out as the main destination for people seeking higher education abroad. In 2002, 583,000 foreign students were enrolled in accredited educational institutions at college level or higher. It is estimated that in 2001, 67 per cent of foreign students in the United States had covered their educational expenses from personal or family sources (United Nations, 2003). The majority of foreign students in the United States are from Asia or Europe.

Other countries with large populations of foreign students in higher education are Australia, France, Germany and the United Kingdom. All of them recorded increases in the number of foreign students between 1990 and 2002. Australia’s rise as a major destination for foreign students stems from the Government’s decision in the late 1980s to deregulate the educational sector, assist higher education institutions in establishing and marketing courses for overseas students, and easing visa restrictions for paying foreign students (United Nations, 2003). In 2002, Australian authorities simplified further the admission procedures for foreign students.

The rising number of foreign students in Germany owes much to the large number of foreigners living there. Thus, about 15 per cent of all foreign students in Germany are Turkish citizens, most likely the descendants of workers from Turkey who arrived during previous waves of migration.

In the United Kingdom, rising foreign student enrolment is partly the result of EU agreements whereby EU citizens pay a lower tuition compared with students from other countries and receive financial assistance for study abroad. Because the demand for higher-level training in English is rising, British universities have proved particularly attractive to students from Southern European countries. Greece, in particular, accounts for 12 per cent of the foreign student population in the United Kingdom.

Although, in principle, foreign students are expected to return home upon completion of their studies, migration for education is often the first step towards settlement abroad. In the United States, a high proportion of foreign students completing doctoral studies intend to stay after graduation and adjustment of status has generally been possible. In Australia, where foreign students had to leave after graduation and remain abroad at least two years before applying for immigrant status, the Government had started allowing changes of status upon the completion of studies in 1999 and simplified the procedures involved in 2001. In the United Kingdom, as part of the Highly Skilled Migrant Programme launched in 2002, foreign students are allowed to apply for work permits upon graduation or completion of postgraduate training. Similarly, in Austria, France and the Republic of Korea, foreign students receiving degrees in information technology may adjust status, gain access to the labour market and apply for residence. In Germany, the 2004 Immigration Act allows foreign students to seek employment in Germany after graduation. In Canada, where adjustment of status of graduating students has become possible, the Government is collaborating with universities and provincial administrations to attract more foreign students.

Although most foreign students are in developed countries, there are a few developing countries, such as Jordan, Lebanon, the Republic of Korea and Turkey in Asia and Mexico in Latin America, that attract significant numbers of foreign students. In addition, South Africa had 15,000 foreign students in 1998. Not only have these countries been hubs for the advanced training of students from countries in their respective regions, but there are other countries interested in expanding their training capabilities by building partnerships with prestigious universities and other institutions in developed countries. China, Singapore and Qatar are establishing local campuses run in partnership with universities abroad with the aim of both offering high-quality training to their citizens and becoming international training centres in their own right. Consequently, not only will migration for education increase but competition in this field may lead to a greater diversification of destinations, particularly for students from developing countries.

III. LEGAL INSTRUMENTS ON INTERNATIONAL MIGRATION

International migration has been gaining relevance in the international agenda. In the 2002 report entitled “Strengthening of the United Nations: an agenda for further change” (A/57/387 and Corr. 1), the Secretary-General characterized international migration as one of the main issues on which the United Nations had to deepen its knowledge, sharpen its focus and act more effectively. The outcome document of the 2005 World Summit held during the sixtieth session of the General Assembly recognized the important nexus between international migration and development and called on Governments to deal with the challenges and opportunities that international migration presented to countries of origin, destination and transit (A/RES/60/1 World Summit Outcome).

Given their importance, international migration issues have been addressed by most of the United Nations conferences and summits held since 1990. The outcome documents adopted by these conferences, albeit non-binding, have contributed to shaping the normative framework around which country activities on international migration have developed. In particular, the Programme of Action of the International Conference on Population and Development (United Nations, 1995) provides a broad and comprehensive set of objectives and recommendations on international migration, one of which is to encourage cooperation and dialogue between countries of origin and countries of destination, so as to maximize the benefits of migration and increase the likelihood that it may have positive consequences for development.

The United Nations and the International Labour Organization (ILO) have also been active in the establishment of international legal norms and instruments related to international migration (table 6). These have dealt with a wide array of issues including the rights of migrant workers, the prevention of smuggling and trafficking, and the protection of refugees. There are three key instruments dealing with the protection and treatment of international migrant workers. ILO Convention No. 97, adopted in 1949, contains provisions to proscribe inequalities of treatment with respect to the employment of international migrants. It has been ratified by 42 countries. ILO Convention No. 143 of 1975 establishes that migrant workers should be entitled not only to equal treatment, but also to equality with regard to access to employment, trade union rights, cultural rights, and individual and collective freedoms. To date, 19 States have ratified this convention.

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted in 1990, is the third major instrument on migrant workers. It establishes the basic human rights and fundamental freedoms that all migrant workers and members of their families should enjoy, and establishes the rights of migrant workers in a regular situation. The Convention entered into force in 2003. As of early 2006, it had been ratified by 34 States, none of which was a major migrant receiving country.

As mentioned above, there are two United Nations instruments focusing on irregular migration: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, both supplementing the United Nations Convention against Transnational Organized Crime. These have been ratified by 95 and 84 States, respectively, and entered into force in 2003 and 2004, respectively. The first Protocol aims to prevent and combat trafficking in persons, to protect victims of such trafficking and to promote cooperation among State parties to meet these objectives. The second Protocol provides an effective tool with which to combat and prevent the smuggling of human beings, reaffirming that migration in itself is not a crime and that migrants may be victims in need of protection. The rapid and widespread ratification of these protocols proves that preventing irregular migration is a major goal of Member States.

TABLE 6. STATUS OF RATIFICATION OF INTERNATIONAL LEGAL INSTRUMENTS RELATED TO INTERNATIONAL MIGRATION

<i>Instrument</i>	<i>Year entered into force</i>	<i>Countries ratified^a</i>	
		<i>Number</i>	<i>Percentage^b</i>
Migrant workers			
1949 ILO Convention concerning Migration for Employment (Revised 1949) (No. 97)	1952	42	22
1975 ILO Convention concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and the Treatment of Migrant Workers (Supplementary Provisions) (No. 143)	1978	19	10
1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	2003	34	18
Smuggling and trafficking			
2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2003	95	49
2000 Protocol against the Smuggling of Migrants by Land, Air and Sea	2004	84	44
Refugees			
1951 Convention relating to the Status of Refugees	1954	143	74
1967 Protocol relating to the Status of Refugees	1967	143	74

^aAs of early 2006. The number includes non-member States of the United Nations and the Governments of Cook Islands and Niue.

^bOf Member States of the United Nations.

Lastly, there are two international instruments that relate to the protection of refugees. The 1951 Convention relating to the Status of Refugees establishes a definition of “refugee” and legal protection for refugees. It also prohibits the expulsion or forcible return of persons accorded refugee status. The 1967 Protocol relating to the Status of Refugees extends the application of the 1951 Convention to persons who became refugees after 1 January 1951 and to those fleeing non-European countries. Both the Convention and the Protocol have been ratified by about three quarters of all Member States.

In 2003, the General Assembly, at its fifty-eighth session, called for a high-level dialogue on international migration and development to be held in 2006. In its resolution 60/227, the General Assembly decided that the High-level Dialogue would be held in New York on 14 and 15 September 2006. The High-level Dialogue would focus on the multidimensional aspects of international migration and development in order to identify appropriate ways and means to maximize its development benefits and minimize its negative impacts.

Among the global government initiatives to promote dialogue, provide guidelines for action, and enhance international cooperation in addressing the challenges posed by international migration, the Global Commission on International Migration (GCIM) has been key. It was launched with the support of a number of Governments to provide, inter alia, recommendations to the Secretary-General and other

stakeholders on how to strengthen the national, regional and global governance of international migration. The Global Commission, composed of 19 expert commissioners serving in their personal capacity, launched its report and recommendations in October 2005 (Global Commission on International Migration, 2005). The recommendations of the Global Commission served as important inputs for the High-level Dialogue of the General Assembly.

In summary, international cooperation on international migration has been growing in recent years. Since 1990, the number of bilateral agreements has increased markedly. Although most processes of regional economic integration have not led to effective agreements on freedom of movement, they continue to provide a basis for further cooperation in this area. In addition, consultative processes have been established in most world regions and are proving effective in fostering dialogue and cooperation. At the global level, key international instruments to address irregular migration were adopted and have been widely ratified. The 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families has entered into force. The Global Commission on International Migration produced a set of principles and recommendations for consideration at the High-level Dialogue.

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