EMN INFORM

Temporary and Circular Migration: What are the current policy, practice and future options for EU Member States?

The EMN's *Temporary and Circular Migration* Study analysed the characteristics of temporary (broadly understood to refer to a single movement and then limited stay in the EU) and circular (considered in the context of a back-and-forth movement between the EU and a country of origin) migration policy and practice across 24 EU Member States.[1]

The interest in temporary and circular migration within the EU is primarily due to its perceived potential as a "triple win" policy tool for managed migration, so-called because it may benefit the host society, as well as the migrant and the migrant's country of origin. Such forms of migration may provide a short-term workforce in the host country to fill labour and skills shortages and to meet the emerging needs of national labour markets more generally; support development in third countries; and reduce the phenomenon of "brain drain."

Main issues identified

- **Targeted programmes versus encouraging spontaneous movements.** Some Member States refer to targeted cooperation with third countries and the signing of bilateral and multilateral agreements as a means of managing circular migration. Others refer to the need to facilitate voluntary or spontaneous ("naturally occurring") circular migration, by creating the "right" conditions that would incentivise such migration. With increased knowledge of the forces behind and the effects of temporary and circular migration, Member States would be in a better position to make decisions about which of these *types* of programme and policy to implement. Whilst these two options could be promoted separately, they could also coexist to maximise their effects.
- **Raising awareness and promoting exchanges of experience and best practices.** Whilst a number of Member States have introduced circular migration into national policy and/or have reacted positively to the increasing prominence of circular migration on the EU policy agenda, there is, as yet, no consensus on whether or not it is a form of migration that should be promoted. In light of this, there could be value in facilitating an exchange of knowledge between Member States, as well as in the identification of best practices, particularly those elements which could be transferred to other national contexts.
- **Harmonising key concepts and improving data collection.** At the EU level, there would be benefits in further developing a common understanding of temporary and circular migration, informed by the current EU and national definitions and concepts. This would help the Member States, when introducing new legislation or policies, to introduce some level of harmonised definitions and concepts at the same time. Developing a common understanding would also constitute a first step towards common definitions for the purpose of data collection, and the development of common indicators to measure the effectiveness of policies and programmes focusing on temporary and circular migration.
- **Common "principles" for Temporary and Circular Migration.** Informed by improved information collection, exchanges of experiences and the identification of best practices, the EU could be well-placed to consider developing, in close consultation with the Member

[1] The Synthesis Report and the 24 National Reports (from **Austria, Belgium, Bulgaria, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, United Kingdom**) are available from http://www.emn.europa.eu under "EMN Studies." The study covers the period from 2004 up to end of 2010, though statistics are provided up to end of 2009.

States, common "principles" for temporary and circular migration, including the consideration of migrant rights, and the impact of temporary and circular migration policies on the migrant, on the countries of origin and on the host societies in the EU. Common or minimum EU standards for integration measures could be developed by Member States for migrants who do not wish to (or are not able to) stay permanently in the host society.

Overall findings

- **The development and promotion of policies on temporary and circular migration in the EU Member States is still at a very early stage.** Most Member States do accommodate elements of temporary and circular migration within their national policy, legislation and practices; however, this may not be explicit, or indeed, acknowledged.
- **Evidence for the 'triple-win' for temporary and circular migration remains inconclusive.** Initial evaluations of existing programmes have confirmed positive results for participating migrants in some cases. Evidence is more limited for countries of origin and for employers. For the former, 'wins' are more likely if linked to development or where there is a shared sense of ownership generated between the sending and receiving countries. For the latter, an employer may be unwilling to lose a migrant worker in which training may have been invested and, conversely, a migrant worker may not wish to participate if s/he can find alternative longer-term employment elsewhere.
- **National approaches show great diversity in their visions and policies.** For example, some Member States (e.g. **Sweden**) consider "back and forth repetitive movements" as central to circular migration, whereas others (e.g. **Netherlands**) focus less on the repeated migratory movements and more on the so-called "triple win" associations. Member States' approach towards these forms of migration can be broadly categorised by whether they focus on the economic benefits to the host society (i.e. satisfying labour shortages); on the developmental aspects for the migrant and country of origin; on the needs of the migrant (e.g. focussing on integration) and their rights; and on the 'return' aspect of temporary and circular migration. Typically the approaches used reflect a mixture of such perspectives.
- **Concerns about negative public perceptions persist, but could be influenced through information flows.** The general public's attitude to temporary and circular migration in the host society has been found to be generally negative, arising from concerns that such migration may result in unwanted, irregular migration or permanent stay. There were also concerns about the negative consequences for the migrants themselves and their countries of origin (e.g. exploitation of migrant labour and 'brain drain'). Where governments have actively promoted such migration schemes, with support from Civil Society, then opinion has been found to be more positive.
- **National statistics help to indicate the scope and scale of temporary and circular migration in Member States, but they are limited and lack comparability.** There is currently a lack of comparable statistics on temporary and circular migration across the EU. Current data collection methods do not properly record these forms of migration, there is no common statistical definition, and there is a general lack of longitudinal data collection with which to track migration patterns during an individual's lifetime. That said, the Study identifies a number of indicators used to quantify these types of migration, including temporary residence permits; certain types of visas; employment databases; population registers; survey data and data on seasonal workers (primarily related to circular migration).

Situation in the Member States

Few Member States currently have legislation in place that specifically sets out to impose temporary migration and no Member State has legislation in place which specifically regulates circular migration. However, several provisions in the general legislative frameworks for legal migration in Member States set out conditions for admission for a limited period and for

re-entry, thus allowing for temporary migration and for circular migration. **France, Hungary, Italy** and the **Slovak Republic**, for example, all issue permits specifically for seasonal employment that have an element of circularity in them, as they allow for repeated back- and forth- mobility over a period of time. In addition, **Estonia, Hungary, Latvia, United Kingdom** and particularly **Belgium** have comprehensive legislation in place to allow for the absence and re-entry of third country nationals without losing residence status.

Member States have developed programmes and projects which combine temporary stay (with guaranteed return) with mechanisms that help to enforce the 'triple win', for example, in **Belgium, Netherlands** and **United Kingdom**. Some provide for repeated movement (i.e. circular migration), like, for example, **Spain** which implements several programmes to facilitate the repeated recruitment of specific third-country national workers, primarily agricultural seasonal workers, and **Greece** which has a similar agreement with Egypt regarding fishermen. **Portugal** set up a pilot project in Ukraine to test the impact of temporary migration, and plans to assess, in a second recruitment process, the impacts of circular migration.

Many Member States have entered into bilateral and multilateral agreements with third countries which are geographically close, or with whom they have historical links. Such agreements typically involve university students, seasonal workers or medical staff, and include pre-departure selection and assistance, facilitated admission procedures and help with return, whilst aiming to address issues of brain drain / waste and migrant training.

Evidence of Temporary and Circular Migration patterns

In relation to temporary migration, in **Austria** from 2003-2008, about a quarter of all inflows were temporary (i.e. involving stay of up to one year). In the **United Kingdom**, an estimated 39 per cent of migrants in 2000 intended to stay for only one to two years, but this figure had risen to 49 per cent in 2009. In **Finland** estimates of figures for seasonal workers suggest that they account for over 50 per cent of annual inflows – this is in addition to the 35 000-45 000 temporary foreign workers registered in the national taxation register. **Overall, however, it is difficult to draw definitive conclusions from the limited data**. While most Member States are able to provide information on temporary residence permits or entry visas issued, these may not directly measure temporary migration, as such permits are often renewed and may lead to longer term or more permanent migration. **Statistics on temporary migration are currently not systematically collected** in EU Member States and the national statistics that exist remain largely incomparable due to different definitions of the duration of stay that should be considered temporary.

Analysis of available statistics on circular migration suggests that this currently tends to involve the migration of seasonal workers, e.g. in the agricultural or fishing sectors. This is the case, for example, in the **Slovak Republic**, and in **Greece**, *de facto* almost all circular and temporary migrants today are seasonal workers from Egypt or Albania (making up approximately 95 per cent of the total migrant population). For **Germany**, circular migrants were considered to be those that have already moved away from Germany at least once and subsequently returned, and hence almost 11 per cent of all resident third-country nationals could be said to have effected 'circular' migration. **Sweden** considers all residents (including Swedish and EU nationals) to be potential circular migrants. It calculates that 3 per cent of its population (283 400 people) have undertaken circular migration, because they have moved at least twice across the national border. Like for temporary migration, **for circular migration, there is also little systematic data collection**. This is, in part, because most national data collection systems record an individual border movement or registration of stay rather than (multiple) migratory movements of the same individual.

Emerging good practices

For the 'triple win' concept – and in particular the 'win' for the country of origin - Luxembourg cites sources which argue that circular migration programmes consistent with the

development agendas of countries of origin, are more likely to succeed, and especially where they generate ownership in both countries of origin and receiving countries. **Bilateral and multilateral agreements** are good examples of managed temporary/circular migration, in particular Mobility Partnerships which includes concrete, attainable development goals.

'Outward' circular migration, where the diaspora participates in the promotion of development in the country of origin, has proved effective in some Member States. One programme, set up by the IOM in the **Netherlands**, established 'virtual' migration, where the diaspora community trained and supported participants in their country of origin via the Internet.

Integration opportunities help to enhance the 'triple win' situation. The majority of Member States target livelihood and integration strategies mainly on those migrating permanently. However, some Member States, (**Estonia**, **Portugal, Slovenia, Spain, Sweden**) are including temporary and circular migrants in their general approach to integration.

Facilitated schemes have helped to guarantee the return of a migrant. Examples include the **Czech Republic,** following the loss of migrant jobs during the economic crisis, and **Spain** which has implemented a method for ensuring the return of seasonal workers and those contracted for a specific project. To verify the return, the worker must visit the diplomatic mission or consular office within one month of the end of his/her permit for work.

Whilst return to a country of origin can, to some extent, be enforced; it may then prove more difficult to attract the same migrant back. Some Member States have thus introduced policies allowing migrants to return to the Member State more easily. **Belgium**, **Estonia, Hungary, Latvia** and **Lithuania** all allow third-country nationals to return home for periods of time, without having to re-apply for residence permits on their return. These provisions may not, however, have been implemented specifically to promote circular migration, and few Member States (perhaps only **Portugal** and **Sweden**) currently implement such policy and practices.

Programme Evaluations and Public Opinion

A first assessment of the circular migration pilot project between **Portugal** and Ukraine has shown participants to be generally satisfied, with benefits such as the security of working for the same employer on re-entry to the Member State. Some participants have set up small businesses in their country of origin on return. Of third-country national participants in the **United Kingdom**'s *Commonwealth Scholarship and Fellowship Programme,* the majority of alumni contacted had obtained professional / managerial roles in higher education and other sectors relevant to the needs of the Caribbean, e.g. education, climate change and industry (such as banana farming).

Public opinion in the EU has been in most, though not all, Member States, negative towards temporary and circular migration. This has been due to the risks of exploitation of such migrants, where employer / sectoral monitoring processes are not in place, and, in some Member States that experienced 'guest worker' schemes in the 1960s, opinion remains sceptical that return will take place. **The economic crisis in Member States has further fuelled negative reactions and increased unemployment has raised questions as to whether temporary and circular migration of (low-) skilled migrants is desirable at all.** However, where governments have promoted temporary and circular migration schemes, and where employers' representatives, trade unions and civil society organisations have been explicitly involved, opinion has been more positive, for example, in **Spain**.

Further Information

Should you have specific questions or require further details or a copy of the complete publication, please contact the EMN via Stephen.Davies@ec.europa.eu.

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