

Towards a Progressive Framework for Migration



The need for a Progressive Framework

At the Barrow Cadbury Trust, we have always invested heavily in BME (black and minority ethnic) communities and over the last decade we have increased our support for groups working with refugees and asylum seekers. Although the more recent arrival of those looking to live and work in the UK and established BME groups are regarded as separate policy matters nowadays, there are a great many parallels in the problems both have faced and continue to face.

The prejudice and fear with which ethnic minorities were met when they first arrived in the UK, continue to rear their ugly head in the present day. The General election in 2005, followed by the increased BNP presence in the 2006 local elections, have exposed the deep seated resentment and reinforced the need for a new and more progressive narrative on migration.

Political leadership has been identified by the groups we support as the critical component in changing the public discourse and thereby perhaps altering for the better, the climate in which the debate on migration takes place. This paper by Heaven Crawley, brings together the different but interrelated strands of that debate and sets out ten principles for a progressive framework on migration.

Over the course of the coming year, we will continue to work with refugee and migrant community organisations to develop these principles, which we earnestly hope politicians will adopt. Migration is a reality and a necessary one at that. We need our leaders not just to acknowledge but to affirm this, if we are to continue to grow and develop as a nation.

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Chief Executive, Barrow Cadbury Trust



This paper has been produced as a response to widely held concerns about the direction and lack of progressive content of the UK approach to migration (including asylum, labour migration and integration). Simply put, the concern is that governments have struggled to articulate and implement a genuinely progressive approach to migration. There are a number of complicated and interrelated reasons why this is the case. These include the difficulties of balancing competing rights and interests within and between different sectors of the economy (and particularly between public and private sectors), the tensions between promoting the development of other countries and simultaneously gaining from the cheap labour that these countries produce, and the desire to persuade the British public that migrants do not benefit from international migration at the expense of the existing UK-born population while simultaneously responding to the overall demographic decline and to specific gaps in the labour market.

A progressive approach to migration is urgently needed to deliver social justice both nationally and internationally, and in turn reduce inequalities of health, income and opportunity in relation to education, health and autonomy. Social justice in this context is inevitably about distributional outcomes, but it is also about issues of process involved in building a society based on values of respect and recognition. Our approach to migration and our treatment of immigrants says something about the society we live in and the kind of country we want to be. The progressive values and human rights principles that guide democratic societies cannot stop at their borders. They must also guide the country's behaviour towards migrants and their relationships with other countries from which migrants – including forced migrants – originate.

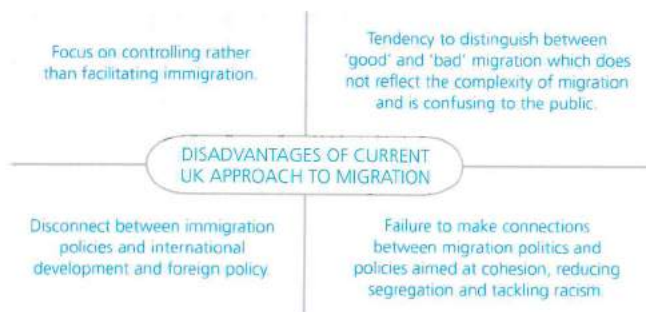
International migration is a reality of the 21st century and can only be understood as part of an overall growth in mobility and globalisation. It is structurally embedded in the economies and societies of most countries in the world. The scale of migration to the UK and the composition of flows is a reflection of many factors, not least the pre-existence of long-term political and economic relationships between sending and host countries. Although immigration controls are largely successful, the costs of measures designed to control borders are high in both human and financial terms. These costs are likely to increase into the future as the pace of global migration increases as a result of globalisation. Europe's borders will expand in the next decade in ways that make them impossible to seal off physically. And if the pace of development increases around the world – including as a result of efforts to meet the Millennium Development Goals – this is likely to lead to increased economic migration, at least in the short-term. Migration in and out of the UK on a larger scale than has been seen in the past is an inevitable

consequence of these and other processes. As a nation we have to accept this reality and find better ways of managing it. This will enable us to maximise the benefits that international migration can and does bring and minimise any potential costs.

The current approach to migration is a reflection of the interface between restrictive and backward looking approaches to migration that have developed over the past 30 years and the high migratory pressures of the 1990s and early part of the 21st century. Migration is challenging because it accelerates the pace of change across all parts of our society and economy. Most societies are built around constancy and their nation-building symbols emphasise commonness even where this does not exist in the first place. Like other forces of globalisation, immigration is disruptive at the most intimate level because it changes the immediate neighbourhood in which people live. International migration makes change, rather than constancy, the norm.

In responding to these changes, successive British governments have found it increasingly difficult to deliver internally coherent and consistent approaches to migration that are genuinely progressive. In an effort to alleviate and respond to public anxieties about the pace of change associated with globalisation and increased international migration, governments have constructed a political and policy discourse that emphasises the need to be tough on perceived abuses of the existing system of immigration control – particularly in relation to asylum and 'illegal' working – while simultaneously promoting and facilitating increased labour migration. The policy is in fact doomed – caught between the short-term demands of what the public perceives as an escalating 'problem' of migration and the need for a sustainable, longer-term approach to this issue.

Underpinning the current approach is a distinction in political and public discourses – as well as policy and practice – between ‘good’ migration and ‘bad’ migration. Good migrants are those perceived as making an economic contribution, whereas bad migrants are perceived to be those who claim asylum, those whose status is irregular or those who come to the UK primarily for the purpose of family reunion.



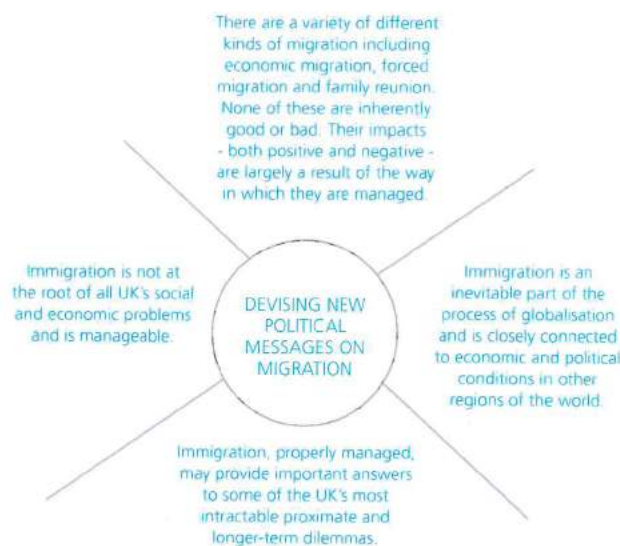
Although there are some progressive elements within the existing approach, there continues to be a strong tendency across politics to discuss migration as a problem that needs to be controlled, even where the economic benefits of migration are explicitly recognised and acknowledged. Success for example becomes judged by how far asylum applications fall – the recent Five Year strategy boasted of a 67% reduction from their peak in 2002. But this confuses the public – who broadly agree that asylum is an important principle. In-depth research on attitudes towards asylum in five areas of the country has concluded that the public widely misunderstands the differences between different categories of migrants and their rights and entitlements in the UK. As a result they hold negative attitudes not only towards asylum seekers but also towards other ethnic minority groups (including economic migrants, recognised refugees, second generation migrants and those born in the UK) who are perceived to be abusing the system of immigration control. As well as confusing the public, the current approach has, more importantly failed to build support for progressive policies. MORI opinion polling shows that concerns about immigration and race issues have increased dramatically over the last ten years. The harm to social cohesion is indicated by figures from the Commission for Racial Equality (CRE) reporting a four-fold increase in racist attacks against asylum seekers. Sections of the media – which serves as the conduit through which both political and policy decisions are filtered – have done little or nothing to help in this respect.

This pamphlet identifies ten key principles that could deliver a workable migration framework with socially just outcomes. This approach, to be implemented across all government departments, would help the British public to come to terms with the reality of international migration.

The ‘framework’ includes political and other discourses around migration policies, migrants, and public attitudes including the role of the media in mediating and influencing these. The complexity of the relationship between these components and the seemingly intractable difficulties in changing the nature of the current approach makes it all the more important for politicians, policy makers and the public to have a clear understanding about the principles that should underlie a progressive framework around migration. The ten principles of a progressive approach outlined below address key elements or components of international migration policy. The approach and policies taken in relation to one aspect of the migration process will inevitably have an impact on another so it is important that the principles are considered together. Their cumulative impacts and inter-relationships are what make the overall approach to migration progressive.

The Way Forward

A genuinely progressive approach to migration requires better and braver political leadership at the local, regional and national level. An essential first step is to inject a good dose of reality into the public debate. This will require political courage. The narrative constructed around migration should be internally consistent and make sense to the public.



Labour migration

Progressive Principle 1.

Mechanisms for economic migration to the UK should be open, transparent, simple and non-discriminatory.

At the same time as the contribution of migration to the UK's economy is likely to continue to grow, the EU labour market will be profoundly affected by demographic decline. In the absence of large-scale immigration, there is evidence that this will result in specific labour market shortages and an overall stagnation in economic productivity and GDP growth. This will have a serious impact on health services and pensions – not simply because there will be fewer people contributing to the 'public pot' but because there will simultaneously be more older people making higher demands on public resources.

While immigration is not a comprehensive solution to demographic change, migrant workers can help fill gaps in the labour market. They can also open up new markets, develop more innovative products and services, creating more demand and, in turn, more jobs. However, the current routes of entry into the UK for employment purposes are not well understood by migrants, employers or the public. Migrants are often not in the best place to know what is expected of them and they have become vulnerable to exploitation by others who claim that they are able to assist them. They may also find themselves being categorised as irregular when their intentions have been to remain within the system and to contribute economically and socially to the country in which they are resident.

Although the new points-based system is intended to make the mechanisms for economic migration simple and transparent, there are concerns that the complexity of different sub-categories will result in similar confusion to that which already exists. The proposed phasing out of low skilled migration schemes is also likely to lead to additional irregular migration and on-going exploitation of those that are able to reach the UK and work without any legal status or rights. Economic migration policies which distinguish between migrants according to skill levels should be avoided as the growth in an educationally-upgraded highly skilled labour force is always accompanied by the demand for low skilled workers which cannot be met domestically. It is unlikely that workers from the new EU accession states will fulfil low-skill labour needs in the medium to long-term as these countries are also affected by population ageing.

Further restricting the rights of low skilled workers will also work against "circular migration" – in which migrants eventually go back to their original home. In practice, it is likely to result in more irregular migration and on-going exploitation of those who reach the UK and work without legal status. Not all migrants necessarily come to the UK intending to stay permanently – they may want to work or study for a few months or years and then go home. Alongside more clearly defining, and more effectively enforcing, certain core rights of migrant workers there could be mechanisms to encourage temporary workers to return to their country of origin at the end of the period of employment in the UK. These mechanisms could include fast-track re-entry routes for those who comply, financial return incentives and special savings accounts. Such a system would help migrants to maintain networks in the home country, which in turn will increase the probability of their return. Other incentives could include the transfer of migrant workers' social security payments to the workers' sending country.

The principle of open, transparent, simple and non-discriminatory mechanisms for economic migration to the UK has implications for all areas of labour migration policy. It requires policies that explicitly reflect the benefits of migration as being greater than the potential risks of abuse.



Asylum

*Progressive Principle 2.
Seeking protection from
persecution and human rights
abuse is a fundamental right
that must be respected.*

The majority of asylum seekers and refugees worldwide come from countries affected by conflict, violence and human rights abuses. Most stay in their region of origin and only a very small proportion of the world's forced migrants come to the UK. The numbers worldwide has been falling. The largest reduction in asylum seekers over recent years is associated with those countries that, for the most part, saw reductions in armed conflict, increasing stability, or changes in government that reduced domestic human rights violations.

Yet the current approach focuses on abuse of the asylum system by those who are perceived not to need protection. Labelling asylum-seekers as 'abusive' or 'bogus' ignores the fact that only those who fall within a very narrow technical UN definition are recognised as 'genuine' refugees in need of protection. The current approach fails to alert the public to the connections between international events and asylum, and undermines the success of social cohesion policies. It also undermines the ability of those who need protection to be able to access it. Plans to process applications for asylum outside Europe serve only to exacerbate these concerns.

The overriding objective of the asylum system should be to protect those in need and not to deter claimants. In practice, it is very difficult to separate 'bogus' from 'genuine' asylum seekers.

At the same time as facilitating access to the asylum system, the government should spearhead efforts to substantially increase the number of refugees that are resettled in the UK and other European countries. If the UK is to play its part in protecting those who have been displaced from their homes, the scale of resettlement to the UK should be in the order of thousands rather than hundreds. These resettlement schemes should complement the system for dealing with spontaneous arrivals. Any distinctions between 'good' resettled refugees and 'bad' spontaneous arrivals, in rhetoric and in practice, must be avoided. Political leaders should facilitate the important economic and social contribution of asylum seekers and refugees, and they must be treated with humanity before and after their applications have been decided. Over the longer term it is important to develop joined-up foreign and international development policies that reduce the numbers of people forced to flee around the world – reducing conflict and increasing respect for good governance.

International Development

*Progressive Principle 3.
Migration should be linked to
international development goals.*

Migration has the potential to deliver massive economic gains that will reduce international poverty. Remittances sent home by international migrants are already considerably more substantial than global flows of international aid. Immigration controls, by excluding developing world workers from working in the developed countries, constitute a major obstacle to the relief of poverty. Controls tend to ensure that temporary or circular migrants stay permanently - since they are unwilling to run the risks and bear the expense of repeated border crossings.

Central to progressive policies is the recognition that migration can have positive impacts for those who move, the societies they move to and those they leave behind. Partnerships are needed with migrant-sending countries to secure the mutual economic benefits of migration, while avoiding asset-stripping the skills of developing countries.

Flows of remittances, and the return of migrants with new skills, can offset the loss of migrants and may even lead to a 'brain-gain'. According to IOM, a slight relaxation of restrictions on the movement of workers would deliver global gains of perhaps \$150 billion per year – dwarfing current global aid flows of \$68.5 billion.

We need to mitigate though against potential 'brain-drain' that harms the prospects of developing countries. Two thirds of all work permits issued in recent years went to workers from countries with low or medium levels of human development, and one in three new doctors recruited to the NHS over the last decade qualified outside Europe, most in developing countries. Where particular brain-strain hotspots are identified, it may be necessary to place some limits on large-scale recruitment of migrant workers. The codes of practice devised by the NHS to avoid displacing health services in developing countries should be emulated in other sectors.

Family reunion

Progressive Principle 4.

Family reunion is a human right and a key mechanism for facilitating long-term integration.

Migrants are not simply economic units of labour. To have a family life and to be united with family members are not only human rights but also preconditions for successful integration. With the arrival of their families, migrants obtain a greater stake in their new societies, which accelerates the process of integration.

Family reunion should not be limited only to those who are defined as 'highly skilled'. Immigrants across all skill categories find it very difficult to integrate into local communities while their basic human needs for family stability and personal security remain unmet. Policies for family reunion are therefore an essential component of a progressive approach to migration. This does not mean that all migration will inevitably lead to permanent settlement. Rather it means that where migrants are making an economic contribution, their integration should be facilitated through family reunion.

Irregular migrants

Progressive Principle 5.

The regularisation of migrants already living in the UK without status is necessary to prevent their exploitation, to facilitate integration and increase public confidence.

The term 'irregular migration' is used to describe a variety of different phenomena involving people who enter or remain in a country of which they are not a citizen in breach of national laws. These include migrants who enter or remain in a country without authorisation, those who are smuggled or trafficked across an international border and unsuccessful asylum seekers who fail to observe a removal order or cannot be removed. Entering or remaining in a country without legal status to do so – "irregular migration" – has high costs for society and the individuals involved. It undermines legal order, dents public confidence in the immigration system, and leaves economic migrants, particularly those working in the so-called low-skilled sectors, vulnerable to exploitation.

Irregular migration is an unacknowledged function of the existing system of immigration controls, since border controls push would-be migrants into irregular or clandestine routes.

The progressive and effective way to reduce the irregular movement of people in and out of the UK is to open up transparent economic migration routes for low skilled workers. This means regularising the status of those already here irregularly over a set time period. Of course, one of the most frequently cited negative consequences is that it may encourage future irregular migration, sometimes at even greater rates than those occurring before the programme. There is also an argument that regularisation rewards law breaking. In reality however these are abstract arguments when what is needed is a pragmatic response to the failure of recent immigration policy. It is in the interests of society that long-term residents should pay their taxes and National Insurance contributions and have proper access to public services. Opening up legal channels will minimise the entry of those without papers. Regularisation has been used successfully in EU countries with more than two million migrants becoming regularised in the 1990s. Spain began an Amnesty in 2005. In the US, President Bush has publicly discussed regularising 9.3 million undocumented migrants.



Integration

*Progressive Principle 6.
Integration policies should
provide access to the labour
market and participation in
political and civil structures.*

Integration lies at the heart of a progressive approach to migration. The economic contribution that migrants make depends on their integration into national life and their overall acceptance by host societies. Except for the few who gain refugee status, the UK does not provide migrants with a systematic integration strategy. Although Britain has been historically enriched by migration, new migrants often suffer economic and social disadvantage, are excluded from civic and political participation and are the target of hostility within local communities. Preventing asylum seekers from working to support themselves and their families is particularly destructive. It undermines economic participation, exacerbates social exclusion and sends entirely the wrong message to the British public about the contribution made by migrants.

When integration and social cohesion are managed successfully, the capacity to absorb new arrivals is increased. Developing policies for more effective integration is therefore an urgent priority. Policy measures for effective and meaningful integration should focus on increasing the ability of migrants to participate in economic, civic and political processes. Providing immigrants with a secure status that allows for legal residency and full opportunities to participate in the labour force is an essential component for integration. The faster and more effectively immigrants integrate into the workforce, the more likely the perception that newcomers are making a positive contribution to society. At a very minimum this requires that all migrants – including asylum seekers – are able to access the labour market and are appropriately assisted in doing so.

Social and welfare benefits

*Progressive Principle 7.
All people residing in the UK should
have access to civil and social rights,
health, education and housing.*

Successive policies have been designed to deter would-be asylum applicants by restricting access to welfare benefits. As well as creating poverty, this reinforces the notion of deserving and undeserving residents of the UK and that some have more rights than others. This approach undermines the objectives of the welfare state to provide opportunities for those who are the poorest and most vulnerable. In addition the incentives for falling into one migration category rather than another in order to access social and welfare benefits stimulates behaviours that chip away at the integrity of migration management systems and further undermine confidence.

Any strategy for integration should outline rights for migrants, including those migrants whose status is irregular. The responsibility falls on political leaders to make the argument that all migrants have a clear set of basic entitlements, and that many migrants – especially those that have been admitted to the UK on a long-term basis – are also entitled to the benefits available to the resident population.



Civil and political participation of migrants

Progressive Principle 8. Migrants are experts on migration.

Migrants fleeing conflict or seeking economic opportunity decide to come to the UK because of past colonial links, a common language and the presence of existing diaspora communities. Social networks and chain migration are important aspects of the process by which migration flows are formed and maintained.

Migrants themselves are the experts on their own experiences and able to develop approaches that are culturally sensitive and take into account local specificities. Yet these voices are largely missing from the government policy-making process. Consultation with migrant groups is widely regarded as tokenistic and limited to narrow areas of policy such as the integration of refugees.

Particular efforts should be made to ensure that migrant women are able to participate. Community organisations should be provided with sufficient resources to contribute and be reassured that they are not being co-opted into a process of immigration control.

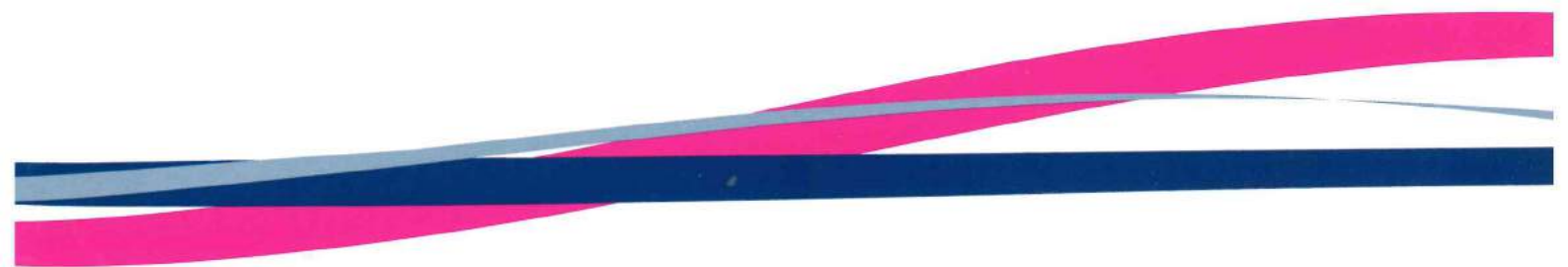
Racism

Progressive Principle 9. Racism by host communities in the UK is not the fault of migrants.

If integration is to be a genuinely two-way process, racism must be challenged wherever it occurs. While it is legitimate to debate the implications of international migration for our society and economy, such discussions become racist if they distinguish between groups and impacts on the basis of race or nationality alone. To argue that racism is due to the numbers of migrants arriving is to legitimise it: racism by host communities in the UK is not the fault of migrants.

The current approach to migration may have exacerbated racist attitudes, particularly through the use of scare-mongering terminology such as the 'swamping' of public services. Although the root causes of racism are complex, there is evidence that the concept of asylum has become a legitimate discourse through which to express racist views about migrant and ethnic minority groups. Incidents of racism and racist violence are increasing. The term 'asylum seeker' has become an abusive one.

Government should also look again at the UK's policy on admissions and the impact this has on public attitudes. There is currently a vast and unjust incongruence between the visa-free employment access enjoyed by nationals from some countries compared to the arduous process others must go through simply to get admittance for a family visit or holiday. Admissions policies should be colour-blind. The consolidation of admission categories would make the system more equitable, socially just and easier to manage.



Evidence-based policy making

Progressive Principle 10.

The impact of policies to manage migration should always be properly evaluated, particularly where different policy measures have been implemented in quick succession.

In recent years UK and EU migration and asylum policy has been subject to concerns about the numbers of asylum applications in the UK and corresponding costs of processing and welfare support. There have also been substantial changes to the systems for processing asylum applications, for dealing with applications to work or study in the UK and to join family members. The direct and indirect consequences of these policies have not been properly evaluated and they are not therefore adequately based on evidence.

The problem with the current approach to migration is that the effect of one set of policies is often not understood before a new set of policies is introduced. This is known as 'policy lag' and has important consequences for the policies in the area of asylum, labour migration, integration and international development. Because new policies are based on a situation in which existing policy reforms have not had time to 'bed down' or be evaluated, these policies may build unnecessary or detrimental additional controls into the system or may even subsequently be abandoned.



Progressive principles

- 1 Mechanisms for economic migration to the UK should be open, transparent, simple and non-discriminatory.
- 2 Seeking protection from persecution and human rights abuse is a fundamental right that must be respected.
- 3 Migration should be linked to international development goals.
- 4 Family reunion is a human right and a key mechanism for facilitating long-term integration.
- 5 The regularisation of migrants already living in the UK without status is necessary to prevent their exploitation, to facilitate integration and increase public confidence.
- 6 Integration policies should provide access to the labour market and participation in political and civil structures.
- 7 All people residing in the UK should have access to civil and social rights, health, education and housing.
- 8 Migrants are experts on migration.
- 9 Racism by host communities in the UK is not the fault of migrants.
- 10 The impact of policies to manage migration should always be properly evaluated, particularly where different policy measures have been implemented in quick succession.

This pamphlet is based on a full report by Heaven Crawley, *Towards a Progressive Framework for Migration*, and has been edited by Katharine Jones.

Further copies of the report are available from:

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The full version of this report can be found at:
www.barrowcadbury.org.uk