Circular and Temporary Migration Regimes and Their Implications for Family[1]

By

Dr. Piyasiri Wickramasekara
Global Migration Policy Associates
April 2012

The focus on migrant workers in discussions of international migration has tended to detract attention from the role of migrant families. There is consensus that family unification is important for migrants because it helps to promote their effective integration in host countries. Further family fragmentation has adverse impacts on all family members, and there is considerable research to show that the social cost of migration on families left behind, especially children, can be high. Different migration regimes and policies have different implications for the unity and integrity of migrant families. This paper considers the implications of circular migration regimes (which are increasingly becoming popular in the discourse on international migration and development) for migrant families.

Circular migration is nothing new as it has long been rooted in internal migrations and cross border migration flows. What is new is the current emphasis on managed circular migration as a triple win - bringing benefits to all three parties involved – migrant workers, destination countries and origin countries. Circular migration carries direct implications for migrants and their families because one of the major gains for host countries is said to be savings on costs of integration due to the short duration of stays with no option for family reunion. The purpose of this paper is to review regimes of circular migration and analyse their implications for family unity and integrity. The first part of the paper outlines definitions of circular migration and family migration. In the second part different regimes of circular migration are highlighted including circular migration of Diasporas and implications for family. This is followed by conclusions.

1. Definitions of circular migration and family.

This short paper cannot go into details of circular migration, but several comprehensive reviews are available on broader issues of circular migration and its relevance particularly in the European context (EMN 2011; European Policy Centre 2011; Wickramasekara 2011b).

This paper maintains that a simple generic definition offers the best approach for understanding circular migration. Simply defined, circular migration refers to temporary movements of a repetitive character either formally or informally across borders, usually for work, involving the same migrants (Wickramasekara 2011a). By definition, all circular migration is temporary. It is different from permanent migration (for settlement), and return migration (one trip migration and return) (Vadean, Piracha et al. 2009).

It is also necessary to distinguish between two types of circular migrations:
   a)   spontaneous (voluntary) circular migration and managed circular migration

---

b) Circular migration of persons from developing countries, and circular movement of persons from the diaspora to home countries.

These have different implications for family welfare and integrity. Only the second option allows family movements subject to limitations discussed under section 2.5.

The major form of circular migration which is of interest to developing countries (or third countries in European Commission terminology) is managed circular migration programmes involving low and semi-skilled workers to developed destination countries. The major issues of concern to migrant workers under this form are: terms and conditions of admission and employment, vulnerability in destination countries, protection of rights, contributions to their families left behind, and home country development, and re-insertion and reintegration in home countries on return.

Circular migration is generally projected as a triple win solution (Government of Mauritius & European Commission 2008; Newland, Agunias et al. 2008):

- Win for destination countries: Meeting labour market needs in destination countries without permanent settlement; minimizing irregular migration.
- Win for origin countries: opening legal avenues for migration for citizens; promoting development in home countries through a steady flow of remittances, return of skills and enterprise creation; mitigating the brain drain;
- Win for migrant worker: legal opportunity for migration, remittances for family and gaining skills.

There are also other underlying reasons for promotion of circular migration by destination countries particularly. First, it represents an alternative to traditional guest worker programmes (which led to permanent settlement of some workers) – reflecting the desire on the part of destination countries to 'bring in labour but not people'. Second, it also reflects the trend towards flexible labour markets - the idea being that migrants have to leave or not arrive when there is slackening of labour demand in the destination country. Third, another motivation is the desire to reduce irregular migration as part of the security oriented agendas of destination countries.

I have pointed out elsewhere that the so-called triple wins have been highly exaggerated in the literature (Wickramasekara 2011a).

1.2 Family definitions

It is important to clarify the meaning of family. Article 13(2) of ILO Convention on Migrant Workers (Supplementary provisions), 1975 (No. 143) and Paragraph 15 of the ILO Recommendation on Migrant Workers, 1975 (No. 151) define the family as "the spouse and dependent children, father and mother". Paragraph 15(3) of Recommendation No. 86 goes beyond this and states that "favourable consideration should be given to requests for the inclusion of other members of the family dependent upon the migrant" (ILO 1999).

Article 4 of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families defines the family as follows:

> For the purposes of the present Convention the term "members of the family" refers to persons married to migrant workers or having with them a relationship that, according to applicable law, produces effects equivalent to marriage, as well as their dependent

children and other dependent persons who are recognized as members of the family by applicable legislation or applicable bilateral or multilateral agreements between the States concerned (p.4).

Yet States apply different criteria in defining the family for eligibility in migration decisions. While traditional settler countries (Australia, Canada, and USA) have been more liberal, some countries use the strict definition of a nuclear or core family, sometimes subject to further conditions, and do not recognise extended family members as eligible for unification.

There are different types of family migration (IOM 2008).

- Family re-unification whereby a migrant will be bringing in immediate family members.
- Family formation or marriage migration which may involve bringing partner from home country or elsewhere. The mail order brides from some Asian countries also fall into this category, but the husband need not necessarily be a migrant in such cases as seen in the case of Japanese farmers.
- Accompanied family migration whereby the entire family will migrate as a unit. This is common in the case of permanent or settler migration as in the case of Australia, and Canada. Skilled workers often enjoy this privilege.
- Migration of sponsored family members. Some countries may allow immediate blood relatives such as brothers and sisters, and parents as well also to join the family at their discretion.

Another important category is *'families left behind'* which may give rise to transnational families with family members living in different countries, but continuing to have links. For discussions of circular and temporary migration, this category is most important.

The main issue concerns family unification or the right of the family to join migrant workers under different migration regimes. The Migrant Integration Policy Index compiled by the Migration Policy Group (MPG 2011) includes the right to family unification as a major component of migrant integration[2], and has proposed four related dimensions to be considered: a) eligibility: b) conditions for acquisition of status (such as pre-arrival integration conditions, economic resources); c) security of status; and, d) rights associated with status. It has also spelled out 20 indicators pertaining to these four criteria.

II. Circular and temporary migration regimes

This section will review existing migration regimes and international discourse on circular migration using a rights based approach. The regimes considered are: a) internal migration; b) the Asia-Gulf migration regime for low- and semi-skilled workers; c) seasonal worker regimes; and d) the regime considered by the European Union under circular migration and mobility partnerships for so-called 'third country nationals' from developing countries.

2.1 Internal circular migration

The most important and long standing form of circular migration is from rural to urban areas seasonally or for longer periods within the same country. According to one estimate indicates there were 740 million internal migrants in the world (UNDP 2009) compared to 214

---

[2] The Index covers six policy areas - long-term residence, family reunion, citizenship, political participation, anti-discrimination measures and labour market access.

international migrants around 2010 (ILO 2010b). The best example is China where about 125-150 million rural workers coming to cities annually for work. Indonesia and India also record large internal flows.

Migrants sometimes move with their families to urban or other rural areas although they may encounter problems of housing, discrimination and access to education for children in common with international migrants. Yet contacts with families left behind are stronger because of largely free mobility within the same country.

2.2 The Gulf, Middle East and intra-Asian (Malaysia, Singapore, Thailand) temporary and circular migration system

Migration of workers to the Gulf countries was a major development triggered by the oil bonanza of the early 1970s which enabled Gulf countries to modernise their economies resulting in large demands mainly for low skilled workers. Over time most of the expatriate work force has been drawn from Southeast and South Asia. It is a classic temporary labour migration system based on fixed term contracts ranging from one to three years mostly. It is also a strictly rotational system with some circular migration occurring when migrant workers re-migrate with new contracts (Wickramasekara 2002; Wickramasekara 2011b). While there are no reliable statistics, 60-65 per cent of annual outflows of migrants are re-hires or those going back for work in the Philippines. A study in Jordan found that only 10 per cent were first time migrants, and 46% were there for the second time and the balance 44% more than twice. The UAE and Kuwait survey data from a recent ILO survey reveal about a quarter to be repeat migrants (Wickramasekara 2011a). There has been a large inflow of migrant workers to Malaysia and Singapore from Southeast Asia and South Asia, and to Thailand from Cambodia, Myanmar and Lao PDR, but there is no evidence on remigration patterns.

There are two streams of migrant workers to be considered in this context:

    i.   Low and semi-skilled workers who have no right to family unification;
    ii.   Skilled and professional workers who can bring in their families. There are certain incomes limits above which they can move in with families.

Since most migrant workers are in the low skilled category having to leave their families behind, it is not a family-friendly system. 'Such workers are commonly referred to as 'bachelors' — whether or not they are single or married' (Nagy 2010: 59). In a case study of Bahrain, Nagy points out that the "distinction between family and bachelor status provides an axis of differentiation that reinforces economic distinctions marginalizing and stigmatizing the "bachelors" (Nagy 2010: 61). Low and semi-skilled workers face a similar situation regarding family reunion in temporary labour migration within Southeast Asia. In any case, moving with families (even if allowed) is not practical at all for low skilled workers because of low wages earned which can hardly support families.

The temporary migration system in the Middle East and Asia affects families left behind in another way. Separation periods can be as long as the duration of the contract because the workers cannot afford to visit their families in the meantime. Competition has driven down wages, and working conditions are proverbially poor. Intermediaries play a major role at both ends which further erodes the benefits of labour migration for workers and source countries. The sponsorship system (kafala in the Gulf countries) and labour broker system in Southeast Asia keep workers tied to specific employers. There are decent work deficits in all spheres: rights, employment, social protection and social dialogue (HRW 2009; ILO 2009; Verité

2010; ITUC 2011). These affect the capacity of migrant workers to remit funds and support their families back home.

Migrant female domestic workers are among the most vulnerable groups in this system (ILO 2009; ILO 2010a). They represent absent mothers, daughters, sisters, and aunts from origin country families who may often function as the primary breadwinner for the households from which they come (Gardner 2011). A good number of them may be mothers with children in their home countries, and migrate to make a better life for their children back home. However, few employers including women of the employing households consider that these women who look after their own children are also mothers or sisters or daughters in their own countries. It is a classic case of exploitation of migrant women by women in destination country households. The female domestic workers suffer innumerable hardships and cruelty in the process which leave lifetime scars affecting future life with their families and children back home. One telling case is that of Ms. Kusuma Nandani from Sri Lanka who was forced to work for a Saudi employer for 15 years without payment since 1994. She was finally rescued after 17 years when her daughter (who was only eight years when she left) pursued the case with the Sri Lankan authorities (Rasooldee 2011). She also managed to receive some compensation from the Government of Saudi Arabia.

However, skilled workers and professionals can bring their families to destination countries subject to a minimum income criterion. These minimum levels do not take into account high costs of living and education of children and some may decide not to bring their families for better savings and lack of long-term employment security.

> …. migrant families find themselves in a series of complex and ambivalent positions in the Gulf States. With naturalization almost impossible, many foreign families are in the precarious position of making a life and a home in a country to which, in the final accounting, they can never belong (Gardner 2011: 17).

In analysing the impact on families left behind, it is very important to assess the age and relationship of migrants to their families. It makes a considerable difference whether it is the head of the household (father or mother) or sons and daughters who migrate. Children suffer a lot in early ages when their mothers migrate as often happens in the case of Sri Lanka, Indonesia and the Philippines. Responding to this situation, Sri Lanka's Minister for Child Development and Women's Empowerment proposed a ban on women with children less than 5 years of age from emigrating for work in March 2007, but it was withdrawn after encountering opposition from human rights and women's groups.[3]

Data from the Kerala State of India, the Philippines and Sri Lanka show that a high proportion of male and female youth (15-29 years) migrate, some of whom are not married. They are often sons and daughters of heads of households. Chart 1 shows that Sri Lankan male migration peaks at the 25-29 year age group while women migration is more evenly spread over older age groups as well. They could be older women with children.

---

[3] http://www.hrw.org/news/2007/03/13/sri-lanka-drop-ban-mothers-emigrating-work
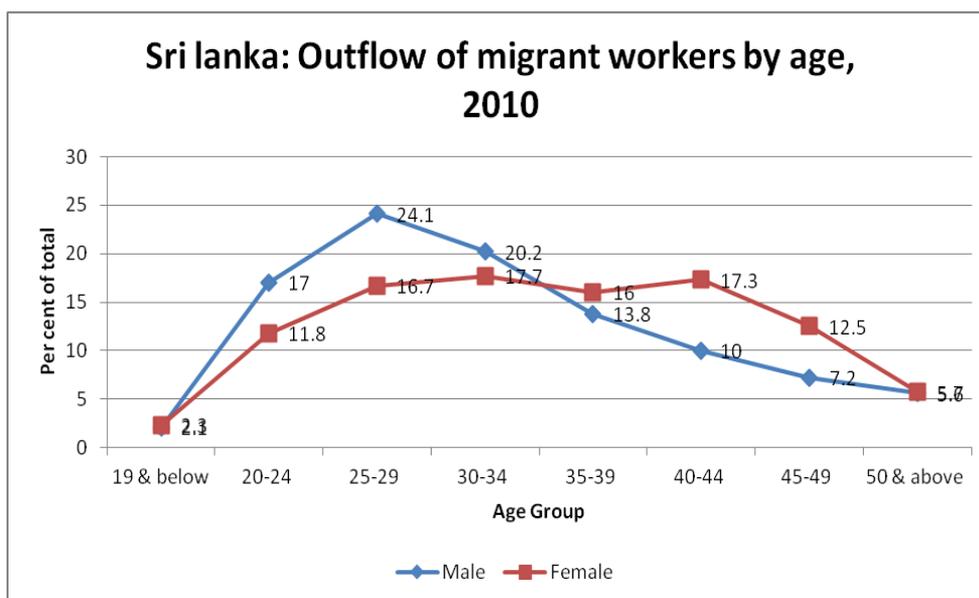
Source: based on Sri Lanka Bureau of _Foreign Employment Annual Statistical Report for 2010

Chart 2 shows the emigration pattern from Kerala (based on a sample survey) by age and sex, but it should be female migrants are much smaller in number.[4]
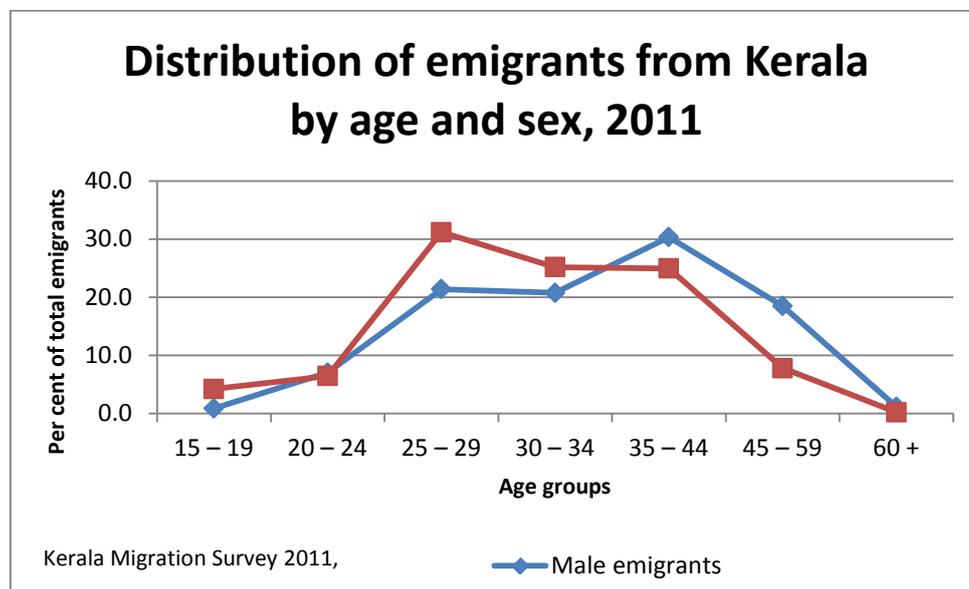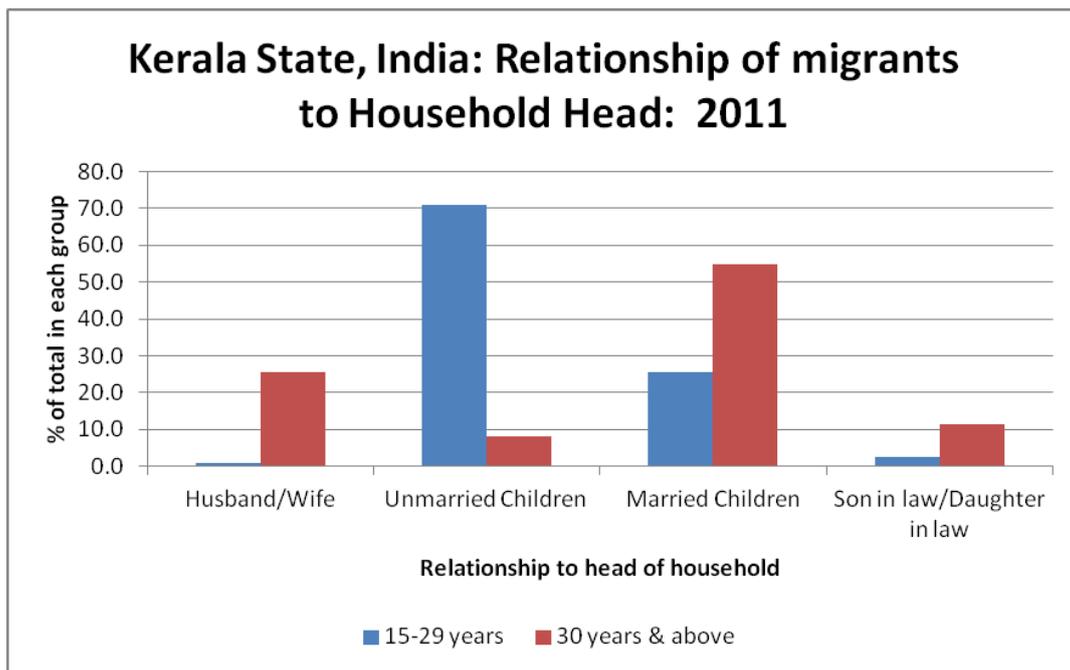
Chart 1

Chart 3 shows that it is mostly male heads of households who migrate from Kerala, but unmarried youth dominate the younger age group.

_____

[4] Data kindly made available by Professor Irudaya Rajan of the Centre of Development Studies, Trivandrum, Kerala.

Chart 2

Kerala State, India: Relationship of migrants to Household Head: 2011

From the viewpoint of gender, the social issue of one million Gulf wives left behind by male migrant workers in the Kerala State has often been raised. The Kerala migration survey of 2007 estimated the number of Gulf wives to be 1.2 million (10% of all married women in Kerala). 42 per cent were below 29 years representing young wives left behind. These wives may be separated from their husbands for many years a number of years if the latter are circular or repeat migrants.

As George (George 2010) observed: "Behind most Indian men working in the Gulf is a wife back home, living in a shared house bringing up his children with the help of her extended family". Some wives are separated from their husbands working in the Gulf from three to four years or up to 10 years or more with three or more migration cycles. The 1998 Kerala Migration Survey indicated that: **"…** in 2.4 per cent of the Gulf wives, the husband emigrated within a few days of his marriage. In about 13 per cent, the husband emigrated within a month after marriage. In a very large proportion of cases (about 45 per cent), the husband emigrated in the first year of marriage. However, the departure of the husband occurred more than five years after marriage in about one third of the cases" (Zachariah and S. Irudaya Rajan 2001: 61). The major problems experienced by wives left behind are: loneliness, added responsibility, problems with mother-in-laws, debt burdens, lack of perceived financial gains and mild depression (Zachariah and S. Irudaya Rajan 2001; George 2010). The seriousness of the problem is seen by the fact that the bulk of the respondents (83 per cent) in the 1998 survey reported that they would like their daughters to marry persons working in Kerala.

2.3 Seasonal worker models of circular migration: Canada and Europe[5]

2.3.1 Seasonal Agricultural Workers Programme (SAWP), Canada
The Commonwealth Caribbean and Mexican Agricultural Seasonal Workers Programme enables Canadian farmers to employ about 20,000 foreign workers for up to eight months a

---

[5] This and the following section draws upon my paper on circular migration (Wickramasekara 2011a).

year. While it is also a temporary labour migration programme, it fits well into the circular migration model as mostly the same group of workers return year after year to work in Canada. It is often cited as a model programme that highlights best practices in seasonal migration. The opportunity given to low skilled workers, a high rate of voluntary return to home countries, its sustainability over time, and a high rate of employer participation are regarded as success factors.

Yet there are major rights issues with the programme common to many such schemes. As (Avendaño 2009: 4) points out: "In reality, those factors are the product of a structure that keeps workers silent and dependent on the program for their economic well-being". Workers rarely protest because they like to return while Mexican officials also raise no questions to keep Mexico on the programme. Unlike in Spain and Sweden (which consider transition to permanent status after participation in the labour migration programmes for four years), SAWP workers do not get any family unification or secure residence rights even if they circulate for many years.

2.3.2 Spain – Morocco programme in Cartaya, Spain

While Spain has a number of temporary labour migration programmes, the pilot project on circular migration in Cartaya, in the strawberry-growing province of Huleva, is illustrative of approaches to return. It developed a circular migration temporary worker programme with Morocco, but had recurrent problems of low returns at the end of the season as required. The authorities changed the rules so that only mothers under 40 with children may participate with guaranteed right of return in the next season to those who comply. They are not permitted to bring children. Voluntary returns were 85 per cent at the end of the 2007 season. Thus, from the destination country point of view this may be termed 'successful' or a 'good practice' in circular migration despite the discriminatory selection and deliberate focus on separating mothers from their children. As one 17-year old Filipino child remarked, **"... it's better to lose 100 fathers than a single mother"** (SMC 2003).

2.3.3 German seasonal worker programme

The German seasonal workers programme, which operates under memoranda of understanding signed by the Federal Employment Agency and employment services in source countries in Europe, admits migrants for up to six months if local workers are not available to fill vacant jobs in agriculture, forestry, and the hotel and catering sector. Most migrants admitted have been Polish nationals.

The interesting feature of the programme is the large number admitted compared to seasonal worker programmes in other countries. The numbers have been in the range of 300,000 in recent years. Changing employers is allowed if the Federal Employment Agency is kept informed. Most participating workers may already be employed in their own countries, implying that they migrate for higher earnings.

There is no built in circularity because there is no special consideration to previous work, but in practice employers will bring back the same workers. German authorities make it clear that the programme was motivated by economic needs of labour demand in industry, and not by development considerations (EPC 2011).

2.4 European Union: Circular Migration and Mobility Partnerships

The European Commission proposed mobility partnerships (MPs), and circular migration programmes (CMPs) between the European Union and third countries in 2007 in a

Communication in 2007 (European Commission 2007). While both are proposed in the same Communication, mobility partnerships are different from circular migration as the former is directed at countries with large irregular populations in the EU member States. It attempts to combat 'illegal migration', promote legal migration and strengthen the positive contribution of migration to development through mobility partnerships. These partnerships can include some circular migration provisions as part of its legal migration options. As of now, there are four mobility partnerships launched with Armenia, Cape Verde, Georgia and Moldova.

Carrera and Sagrera (Carrera and Sagrera 2009) argue that the mobility partnerships are more in the nature of 'security' partnerships for the EU countries and at the same time, they could be regarded as 'insecurity' partnerships for the coherency and legitimacy of the EU's labour immigration policy, as well as the liberty and security of the third-country workers.

As regards circular migration, the Communication covers both "circular migration of third-country nationals settled in the EU" and "circular migration of persons residing in a third country". The first category described as –outward circular migration - refers to third country nationals settled (part of the diaspora) in the EU who may temporarily return for productive engagement in home countries. The more important category for developing countries is the second – described as 'inward circular migration' which the Commission explains as covering " third-country nationals wishing to work temporarily in the EU, for example in seasonal employment; third-country nationals wishing to study or train in Europe before returning to their country" and several others. It thus lumps together temporary migrant workers, students and trainees. It is important to note that the Communication and subsequent documents include only seasonal workers from among low skilled workers from third countries to be considered for these programmes. All these programmes work on the assumption that there will be no family unification.

The Commission also makes it clear that effective return is an essential component of circular migration, for which administrative and material incentives will be provided. The incentives relate to: guarantees of future right of stay or future admission opportunities; better support for productive re-integration activities on return in source country; improved transferability of pension rights; and support for temporary return of high-skilled migrants, among others.

The circular migration provisions are silent on the presence of workers in irregular status in the European Union. Their families suffer in two ways. If in the host country, they also are exploited with children suffering most with no access to education and proper health care. If families are in the destination country, the separation becomes longer because migrants may not leave due to the fear that he may not be able to return. It has been well-established that immigration restrictions reduce circulation as USA experience with Mexican migrants has shown (Cornelius 2005). A more sensible option is to induct them into circular migration programmes and give them the choice of dignified return or regularise their status as needed rather than engage in forced repatriation.

Pilot Circular migration programmes
Following the GFMD discussions and the EU Communication, two pilot projects on circular migration have been launched. The first is a pilot project between Mauritius and France based on an agreement signed on 23 September 2008 to admit about 800 persons as students, interns, and professionals for periods ranging from six months to three years (Nayeck 2009). But the proposal does not mention any privileged return provisions for return to France. In that sense, it may not be a circular migration system. Whether the professionals are allowed

to bring their families is also not clear. Although it was initially proposed in 2007, progress has been slow due to the economic and financial crisis which has affected Europe as well. The pilot circular migration programme of Mauritius with Canada seems to have taken off (Kokil 2011). 300 workers have been deployed in Canada mainly in food processing activities.

The second is the Blue Birds pilot project on circular migration by the Netherlands to bring in a miniscule number of workers – 80 each only from two pilot partner countries of the project - Indonesia and South Africa. It started in early 2010, but managed to employ only eight persons – six from South Africa and two from Indonesia – before the Ministry of Foreign Affairs decided to terminate the pilot prematurely in June 2011. The lack of political will on the part of the Netherlands and change of government served to terminate this insignificant initiative. (HIT Foundation 2011b; HIT Foundation 2011a).

Both pilot circular migration projects illustrate the limited scope and absence of any significant wins for origin countries given the small numbers involved.

In general, managed programmes restrict choices in a major way specifying numerous conditions to be met for eligibility.

2.5 Diaspora circulation and families

There has been increasing attention on the role of the diaspora as circular migrants in recent years. Migrants and their families settled in destination countries maintain ties with home countries and their relatives and families in numerous ways. The background report for the United Nations High Level dialogue on International Migration and Development (United Nations 2006) pointed out that citizens working abroad can be development assets for countries of origin. The diasporas have been hailed as harbingers of new knowledge, innovators, and reputation ambassadors, among others. Yet before embracing the diaspora communities as the proverbial "golden goose", one should take note of the fact that the diaspora communities are by no means homogeneous as they consist of both low skilled and high skilled, first and subsequent generations, and those in regular and irregular status, which have an obvious impact on their contributions (Wickramasekara 2009b).

In the European guest worker programmes of the sixties, guest workers frequently circulated between workplaces and families in the home countries until the European governments ended their temporary migration programmes in the early 1970s with the onset of the oil crisis (EPC 2011).

While some of the literature has focused on the scientific or intellectual diasporas, other groups also make contributions to home countries and families back at home (Wickramasekara 2009b). Orozco has highlighted five Ts of transnational engagement: Transportation, Telecommunication, Tourism, and Transfer of money and nostalgic Trade (Orozco 2006). But he does not refer to the role of family as a significant factor.

Normally diaspora circulation is spontaneous although there are specific attempts to harness them through programmes such as IOM's Return of Qualified African Nationals (RQAN) programme, the Programme on Migration & Development in Africa and the UNDP TOKTEN – Transfer of Knowledge through Expatriate Nationals where skilled persons are brought back to countries through specific projects supported by multilateral agencies. But such initiatives suffer from several weaknesses relating to coverage, equity and sustainability (Wickramasekara 2003).

Our interest is however, is how diaspora circulation facilitates maintaining and strengthening transnational family ties and linkages. There is little information on the role of families in discussions of diaspora engagement, especially involving the scientific diaspora. It can be hypothesised that first generation diasporas may maintain family ties and some form of community and social connections to home countries, but this may diminish over time with the second generation. An analysis of transnational family life among Colombian and Dominican migrants in Europe (Sørensen and Luís E. Guarnizo 2007) confirms the earlier point that it matters a lot who in the family engages in transnational migration for the form and conditions under which their migration is socio-culturally and morally evaluated. While men's absence is accepted, women's migration is often assessed in negative terms as leading to spatially fractured family relations and even family breakdown.

There are several factors which adversely affect the impact of diaspora circulations on family.

Bain Waste

The phenomenon of brain waste results from non-recognition of qualification across borders. Qualified emigrants cannot find employment commensurate with their specialized skills and previous experience. This type of situation involves a triple loss – to source countries that lose valuable skills, to destination countries which cannot benefit from migrant skills and to migrant workers who cannot make full use of their potential and integrate (Wickramasekara 2009a). The OECD (OECD 2007) studied this issue under the label 'over-qualification' and the disturbing finding is that in all of the OECD countries considered, almost 50 per cent on average (or at least 25 per cent) of skilled immigrants were 'inactive, unemployed or confined to jobs for which they are over-qualified'.

Visa regimes of destination countries are not conducive to circulation

Second current visa regimes in destination countries are not circulation-friendly: permanent or long-term residents lose the right of return if they spend more than six months or a year abroad according to legislation in many countries. Therefore, several proposals have been made to protect the residence and citizenship rights of migrants in their host countries through extended right of return arrangements, provisions to take into account time spent in home countries for continuity of service, and qualifying periods for permanent residence or naturalization, and dual citizenship (Skeldon 2011).

Increasing European restrictions serve to fragment families further

Third there is a major contradiction between the declaration of intent to promote diaspora engagement with actual practices in treatment of diaspora family formation and reunification. There are however, increasing restrictions enacted or in the process of being enacted in some EU member States on marriages from home countries and family reunions. Denmark, the Netherlands and the UK have recently revised provisions for family unification which seriously curtail the numbers to be admitted under family reunions. Therese restrictions pertain to a number of pre-conditions to be met: raising threshold incomes for family unification; specifying minimum standards of accommodation; pre-arrival integration tests including language test; obligations to participate in integration measures; controls on marriage migration or transnational marriages; raising minimum age for admission from 18 years to 21 for spouses; and longer probationary periods for bringing in family. According to the Migration Policy Group, these new requirements are relatively new and untested, and instead of promoting proclaimed integration objectives, they will effectively limit the number of reuniting families (Huddleston and Peterson 2011).

The EU Family Reunion Directive 2003/86/EC (European Commission 2003) established the right to family reunion for non-EU sponsors and their families with key objectives of promoting integration and comparable rights and obligations. The call by the European Commission for a public debate on its Green Paper on the right to family reunification of third-country nationals living in the European Union (Directive 2003/86/EC) (European Commission 2011) has raised fears that member States may attempt to reverse the progress made in regard to family unification up to now. The Migration Policy Group has clearly pointed out that: "Restrictions 'in name of integration' separate families in practice" (Huddleston 2011). It adds: "Making family life harder or even impossible can negatively impact on the well-being and future integration of the entire family" (Huddleston 2011).

3.0 Conclusions

The above analysis has brought limitations of regimes of circular and temporary migration as a good practice in promoting international labour migration to achieve triple wins or promoting family unity and welfare. Max Frisch, the Swiss writer, made a most pertinent observation in relation to the European experience with guest workers in 1972: *"We asked for workers and human beings came"*[6] It seems that four decades later, destination country governments are trying to repeat the same mistake. Circular migration is hardly a win for migrant workers and their families, and the fallacy lies in equating circular migration with 'migration by choice'. Even spontaneous migrations are either not voluntary or respond to the only option available due to rigid immigration barriers. While benefits of the circulation of the diaspora have been highlighted, policy contradictions in the form of restricted visa regimes not conducive to circulation, and increasing attempts to limit family reunions in Europe will seriously reduce such benefits.

Social costs of migration for the migrant workers and their families have been grossly underestimated. Problems arising from family separation and adverse impacts on children cannot be easily quantified. While most discussions focus on remittances, there is little attention to the remitters – who remit money undergoing numerous sacrifices. Labour migration should not always be at the expense of family separation.

In this sense, a comprehensive approach should look at permanent migration programmes to address permanent or long-term labour shortages induced by demographic and other factors, regular labour admission programmes with guaranteed rights for workers on a par with national workers, improved seasonal worker programmes, and other options in addition to circular migration. The foundation of any such programmes is respect, promotion and realization of human and labour rights of migrant workers respect for the principle of family unity and integrity in line with international instruments.

---

[6] Cited in: http://unesdoc.unesco.org/images/0014/001435/143557e.pdf

References

Avendaño, A. (2009). *Reintegration and circular migration-effective for development?* , Paper presented at the Session 2.2 Session 2.1, Roundtable 2: Migrant integration, reintegration and circulation for development, Civil societ Days, Global Forum on Migration and Development. Athens, 4-5 November 2009

Carrera, S. and R. H. Sagrera (2009). *The externalisation of the EU's labour migration policy - Towards mobility or insecurity partnership*s?, CEPS Working Document No. 321, October 2009, Centre for European Policy Studies.

Cornelius, W. A. (2005). "Controlling 'Unwanted' Immigration: Lessons from the United States, 1993-2004." *Journal of Ethnic and Migration Studies,* July 2005 31(4): 775 – 794.

EMN (2011). *Temporary and Circular Migration: empirical evidence, current policy practice and future options in EU Member States: EMN Synthesis Report*, European Migration Network, Dublin
http://www.emn.ie/cat_search_detail.jsp?clog=1&itemID=356&item_name=

EPC (2011). *Temporary and circular migration: Opportunities and challenges,* European Policy Centre, Brussels, March 2011
http://www.epc.eu/pub_details.php?cat_id=1&pub_id=1237

European Commission (2007). *On circular migration and mobility partnerships between the European Union and third countries*, COM (2007) 248, Commission of the European Communities, Brussels.

European Commission (2011). *Green Paper on the right to family reunification of third-country nationals living in the European Union (Directive 2003/86/EC)*, COM(2011) 735 final, European Commission, Brussels, 15.11.2011
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0735:FIN:EN:PDF

European Commission (2003). *COUNCIL DIRECTIVE 2003/86/EC of 22 September 2003 on the right to family reunification*, European Commission, Brussels
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:251:0012:0018:EN:PDF

Gardner, A. M. (2011). "Gulf migration and the family." *Journal of Arabian Studies 1.1* (June 2011), pp. 3–25.

George, R. (2010). *The Gulf Wives of Kerala*, The National, United Arab Emirates, Jun 19, 2010
http://www.thenational.ae/arts-culture/the-gulf-wives-of-kerala

Government of Mauritius & European Commission (2008). *Conference Report: Workshop on creating development benefits through circular migration*, Mauritius.

HIT Foundation (2011a). T*he Labour Migrant, Special edition*, Autumn 2011
http://hitfoundation.eu/wp-content/uploads/2011/12/TheLabourMigrant_2011.pdf

HIT Foundation (2011b). *Towards Sensible Labour Migration Policies: Lessons Learned & Recommendations*, Ministry of Foreign Affairs, Government of the Netherlands, and the HIT foundation, The Hague, November 2011
http://hitfoundation.eu/docs/111110_Pilot%20Circular%20Migration_Lessons_and_recommendations.pdf

HRW (2009). *Slow Movement : Protection of Migrants' Rights in 2009*, Human Rights Watch, New York, December 2009
http://www.hrw.org/sites/default/files/related_material/migrants1209.pdf

Huddleston, T. (2011). *MPG Briefings for the Green Paper on Family Reunion #4*, Migration Policy Group, Brussels, November 2011
http://www.migpolgroup.org/public/docs/198.MPG_Four_Briefings_for_the_Green_Paper_on_Family_Reunion_November_2011.pdf

Huddleston, T. and A. Peterson (2011). M*PG Briefings for the Green Paper on Family Reunion #3*, Migration Policy Group, Brussels, November 2011
http://www.migpolgroup.org/public/docs/198.MPG_Four_Briefings_for_the_Green_Paper_on_Family_Reunion_November_2011.pdf

ILO (1999). *Migrant workers, Report III(1B),* International Labour Conference, 87th session. Geneva, International Labour Office
http://www.ilo.org/public/english/standards/relm/ilc/ilc87/r3-1b.htm

ILO (2009). *International labour migration and employment in the Arab region: Origins, consequences and the way forward - Thematic Paper*, Arab Employment Forum, Beirut, Lebanon 19-21 October 2009
http://www.ilo.org/public/english/region/arpro/beirut/downloads/aef/migration_eng.pdf

ILO (2010a). *Decent work for domestic workers*, Geneva, International Labour Office, Geneva
http://www.ilo.org/public/libdoc/ilo/2009/109B09_24_engl.pdf

ILO (2010b). *International labour migration: A rights based perspective*, Geneva, International Labour Office.

IOM (2008). Chapter 6: Family migration, in: *World Migration Report 2008: Managing Labour Mobility in the Evolving Global Economy*, Internaitonal Organization for Migration, Geneva, 151-172.

ITUC (2011). "Hidden faces of the Gulf miracle", *Union View*, International Confederation of Trade Unions, Brussels, May 2011
http://www.ituc-csi.org/IMG/pdf/VS_QatarEN_final.pdf

Kokil, A. K. (2011). *Circular Migration as a Development Tool -The Mauritian Approach,* Workshop on Managing Migration for Development Policymaking, Assessment and Evaluation, Global Forum on Migration and Development (GFMD), Marseille, June 13-15 , 2011
http://www.gfmd.org/documents/switzerland/marseille/gfmd_swiss11_marseille_session2_A-Kokil.pdf

MPG (2011). *Migrant Integration Policy Index III*, Migration Policy Group, Brussels
http://www.mipex.eu/download.

Nagy, S. (2010). *Families and bachelors: Visa status, family lives, and community structure among Bahrain's foreign residents*, in: Viewpoints: Special Edition on Migration and the Gulf, Middle East Institute, Washington DC, February 2010, pp. 58-62.

Nayeck, J. (2009). *Circular migration - The case for Mauritius*, International conference on diaspora for development, The World Bank, Washington , July 13 - 14, 2009.

Newland, K., D. R. Agunias, et al. (2008). "Learning by doing : Experiences of circular migration." *Insight,* Migration Policy Institute (MPI), Washington DC, September 2008.

OECD (2007). *Matching Educational Background and Employment: A Challenge for Immigrants In Host Countries*, in: International Migration Outlook, SOPEMI 2007 Edition, Paris, OECD, pp.131-153.

Orozco, M. (2006). *Conceptualizing diasporas: Remarks about the Latino and Caribbean experience*, Inter-American Development Bank, Washington DC.
http://idbdocs.iadb.org/wsdocs/getdocument.aspx?docnum=561695

Rasooldee, M. (2011). *Lankan maid kept as slave for 17 years*, Arab News 18 February 2011
http://arabnews.com/saudiarabia/article271125.ece

Skeldon, R. K. (2011). *The impact of temporary and circular migration on families and areas of origin*, in: McLoughlin S. and R. Münz, Eds., Temporary and circular migration: Opportunities and challenges, European Policy Centre, Brussels, March 2011, pp.56-64 http://www.epc.eu/pub_details.php?cat_id=1&pub_id=1237

SMC (2003). *Hearts apart: Migration in the eyes of Filipino children*, Scalabrini Migration Centre, Manila, Philippines.

Sørensen, N. N. and Luís E. Guarnizo (2007). *Transnational Family Life across the Atlantic: The experience of Colombian and Dominican Migrants in Europe*, in: N. N. Sørensen, Ed., Living Across Worlds: Diaspora, Development and Transnational Engagement, International Organization for Migration (IOM), Geneva, pp.151-176.

UNDP (2009). *Human Development Report 2009 - Overcoming barriers: Human mobility and development,* United Nations Development Programme, New York http://hdr.undp.org/en/media/HDR_2009_EN_Complete.pdf

United Nations (2006). *International migration and development: Report of the Secretary-General,* New York, Sixtieth session: Agenda item 54 (c)- Globalization and interdependence: international migration and development, A/60/871, United Nations.

Vadean, F. P., M. Piracha, et al. (2009). *Circular migration or permanent return what determines different forms of migration?,* Discussion paper (Forschungsinstitut zur Zukunft der Arbeit) no. 4287. Bonn, IZA**:** 26 p.

Verité (2010). *Help wanted: Hiring, human trafficking and modern day slavery in the global economy - Regional report on Indian Workers in Domestic Textile Production and Middle East-Based Manufacturing, Infrastructure, and Construction,* Verité, Amherst, MA, http://www.verite.org/sites/default/files/images/HELP%20WANTED_A%20Verite%CC%81 %20Report_Indian%20Migrant%20Workers.pdf

Wickramasekara, P. (2002). *Asian Labour Migration: Issues and Challenges in an Era of Globalization*, International Migration Papers No 57,. Geneva, International Migration Programme, International Labour Office http://www.ilo.org/public/english/protection/migrant/download/imp/imp57e.pdf

Wickramasekara, P. (2003). *Policy responses to skilled migration: Retention, return and circulation*, Perspectives on Labour Migration 5E,. Geneva, International Migration Programme, International Labour Office http://www.ilo.org/public/english/protection/migrant/download/pom/pom5e.pdf

Wickramasekara, P. (2009a). "Development, Mobility, and Human Rights: Rhetoric and Reality", *Refugee Survey Quarterly* 28(4): 165-200.

Wickramasekara, P. (2009b). *Diasporas and development: Perspectives on definitions and contributions*, Perspectives on Labour Migration 9 E, International Labour Office, Geneva http://www.ilo.org/public/english/protection/migrant/download/pom/pom9e.pdf

Wickramasekara, P. (2011a). *Circular migration: A triple win or a dead end*, Global Union Research Network Discussions Papers No.15, International labour Organization, Geneva, March 2011 http://www.gurn.info/en/discussion-papers/no15-mar11-circular-migration-a-triple-win-or-a-dead-end

Wickramasekara, P. (2011b). *Labour migration in South Asia: A review of issues, policies and practices*, Geneva, International Migration Papers No. 108, International Migration Programme, International Labour Office, Geneva. http://www.ilo.org/public/english/protection/migrant/download/imp/imp108.pdf

Zachariah, K. C. and S. Irudaya Rajan (2001). "Gender Dimensions of Migration in Kerala: Macro and Micro Evidence", Asia-Pacific Population Journal, September 2001, pp.47-70. http://www.unescap.org/esid/psis/population/journal/Articles/2001/V16N3A3.pdf