

Master of International Legal Practice

ECONOMIC EFFECTS ON MIGRATION

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INTRODUCTION

Nowadays, international immigration has become a major issue since the changes in demographics as a result of a process of globalization. With this dramatic expansion of cross-border trade and investment has come an upsurge in international labor mobility. Falling costs of transportation and communication have reduced the distances between people, and the drive for better lives has motivated workers to move to areas where jobs are available and the pay is better. Integration of markets cannot set aside labour as an economical factor and demand for jobs must be expected together with demand of capital. Today's mobile world depends on the ability of workers, professionals, students, trainees, families, tourists and others to move safely and efficiently between countries with minimal delay and with proper authorization.

A growing number of countries are pursuing policies to increase and facilitate the flow of regular labor migrants, as a response to migration pressures, in recognition of real labor market needs, and to service an increasingly global economy.

The dynamism that migrants can bring to economies and societies is likely to become more important, especially as demographic trends in some countries project a sharp rise in the demand for workers and professionals because of consistently low fertility rates in these countries.

Although demand for migrant workers is high and supply is even higher, legal opportunities for labor migration are limited. Businesses want to recruit and move their personnel globally and yet must work through often complicated and time-consuming governmental administrative structures to do so. Often, current structures are inadequate for the task of rapid recruitment and movement of workers and professionals.

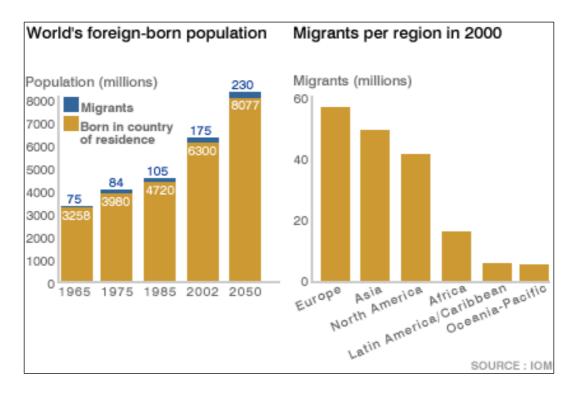
The question is how states and businesses will go about developing effective mechanisms to match labor needs with supply, and follow through with swift and effective integration. Together with this, it is necessary to prevent the depletion of the labor force of source countries and the involvement of criminal organizations in matching supply and demand through smuggling and trafficking.

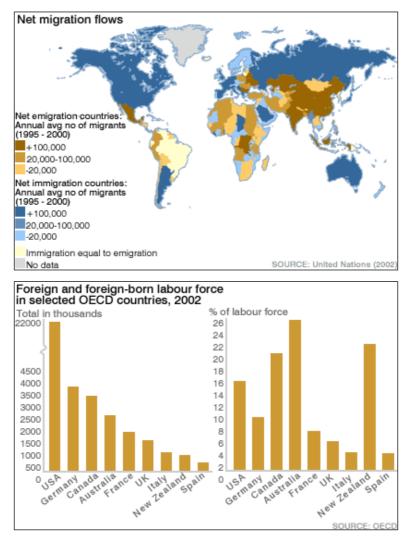
Labor migrants, in particular lower-skilled individuals and their families, may find themselves placed in vulnerable situations in the country of destination. Often they accept jobs that nationals do not want, or perform them at lower wages and with fewer social benefits. Efforts are needed to reduce the level of vulnerability of these migrants and to ensure that their human rights are protected.

Beyond labor migration there is the more general challenge of facilitating the movement of other categories of migrants such as family members, students and trainees. Temporary migration for business, employment, tourism, family visits, education, training, and research is an essential feature of modern life. The effective management of temporary migration offers states the opportunity to channel migration in order to address domestic needs and policy priorities. It can be used to increase national income through foreign tourists, to meet short-term labor market requirements, or to handle the acquisition or improvement of skills, knowledge and resources through training and work abroad.

SCOPE

This essay will be limited to the analysis of international immigration, understood as the amount of people living outside its country of birth of citizenship.





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Estimates prepared by the United Nations Population Division based upon census data from the 1980s indicate that international immigration ascends more than 100 million people which includes 36 million people in Asia, the Middle East, and North Africa; over 23 million in Eastern and Western Europe; over 20 million in the United States and Canada; 10 million in Sub-Saharan Africa; 6 million in Latin America and the Caribbean; and 4 million in Oceania. These figures include refugees (who numbered 12-13 million in the mid-1980s) as well as temporary and permanent migrants, as stated by Sharon Stanton Russell in the report "International Migration: Implications for the World Bank".

This analysis will exclude migration as a forced situation to flee across international boundaries from severe economic, political, and ecological conditions in their homelands (forced migration), as well as refugees in the sense officially recognized by the United Nations High Commissioner for Refugees, in keeping with the 1951 UN Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, and the Organization for African Unity (OAU) Convention of 1969.

The analysis will also exclude national migration movements, such as the one that China is living today, where 114 million migrant workers, typically young people who grew up in the countryside, are leaving to work in the factories, restaurants, hair salons and construction sites of cities, as the country moves to a market economy. This has been the largest migration movement in human history.

Even though these subjects excluded are very interesting, to undertake a full analysis on these questions will enlarge too much the scope of the essay, going beyond the purpose of it.

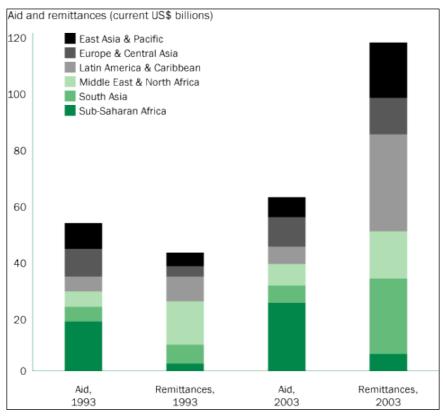
Regarding international migration, the study will be centered in its economical issues, specifically remittances done by immigrants to their home countries, the consequences of the so called "brain drain" and proposals to diminish the prejudicial effects of it, and the current situation of international migration in the United States of America, regarding Mexican migrants, the situation in Spain in regard with Latin American migrants and the situation in UK in relation to new EU Member States migrants.

Afterwards, conclusions will be drawn to wrap up the discussion.

REMITTANCES

Understood as transfers of money performed by immigrants to their home countries, remittances have been considered the good side of international migration, since these funds usually allow migrant's family to achieve a better standard of life and that remittances can compensate the harmful effects of the departure of its most productive and/or qualified members, known as "brain drain". The truth is that they actually offset some of that loss, but not all.

As we will see, remittances as indeed beneficial effects for both sides, meaning country of source as well as country of destination, but its potential prejudicial effects has been observed and taken into consideration by economists.



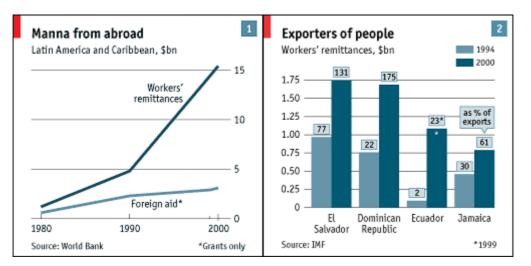
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No one knows remittances' true extent, because many of the main source countries, including Canada and the Netherlands, and leading recipients, such as Lebanon and Guyana, are just beginning to compile data from their banking systems and have yet to report them.

Nevertheless, according to a recent study by Dilip Ratha, an economist at the World Bank, remittances amounted to \$93 billion in 2003. This is more than poor countries received from aid or capital markets. Results collected in the chart above showed that remittances surpass by much the amount of aid given by International Institution such as the World Bank itself or the International Monetary Fund, and that this situation has completely change since 1993, when it was the other way around.

To determine the real number, as asserted by Mr. Ratha, is very difficult since transfers through banks are regulated and thus relatively easy to track, but account for perhaps only a tiny percentage of the total flow. Most of the money is sent through wire-transfer agencies, which are lightly regulated. Another large chunk goes through channels that are not regulated at all. In Cuba, for example, the method of choice is a suitcase filled with cash. There is a huge amount underlying

and transfer by channels that cannot be supervised or controlled. The actual amount may be twice as high.



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On these other charts the figures for Latin America is showed, making evident that in the last years remittances have become a very important source of funds for these countries. Although Mexico is not showed in detail here, worker remittances in 2004 totaled \$16.6 billion, second only to oil in the country's export revenues.

Having asserted the current relevance of remittances, the logical sequential concern is what will be its future development. In this sense, regarding Latin America the Inter-American Development Bank estimates that at least \$300 billion will be sent home over the next ten years, but it will depends partly on the health of the source country economies.

In a recent study, the bank found that, before September 11th the typical Latin American working in the United States earned less than \$20,000 a year, but sent home about \$3,000 of that. However, since then, over half those the bank polled said they had sent back less money, a quarter said their income had fallen, and 7% had lost their jobs. Also through studies the fact that migrants send less money home the longer they stay away has been established, so the flow of remittances depends partly, too, on fresh emigration.

Another concern is the transaction cost that represents remittances for migrants. The Bank also found that that transfer costs—often hidden by lousy exchange rates—eat up about 15% of the money remitted to the region. Regarding this issue, some banks form source countries have found a business opportunity, offering to the market systems to help migrants transfer money more easily and cheaply. As

a result, many migrants have seen the cost of remittances fall by half in the past five years. Yet charges remain painful. According to a study by the Pew Hispanic Centre, which chronicles Latinos' experiences in America, the cost of sending money to Mexico, a market where competition and efficiency are relatively high, is still 4% of the sum sent. Transfers to Venezuela and Cuba cost three times as much. Much of the cost—such as a poor exchange rate—is often hidden from customers.

In Spain, Banco Bilbao Vizcaya Argentaria (BBVA) scenting an opportunity has established a transfer system that allows the receiver to get the money 15 minutes after the transaction has been performed in Spain. The bank benefits for its large network of branches in Latin America and by the large amount of transactions required on the basis of a low fee and gaining more in the exchange rate trade-off.

Worldwide, this rising source of money has prompted many large banks to look beyond transfers for further opportunities in serving migrants and those to whom they send money. Once the money arrives, it theoretically could become a deposit, and that, in turn, could provide the basis for more sophisticated products. That ought to assist the development of modern financial markets, and improve the allocation of capital.

Not only businesses have found opportunity in remittances. Also governments of destination countries are trying to encouraging them. India, the largest recipient in the world, abolished taxes on remittances several years ago. Colombia followed in January. Mexico, the second-largest, has made sending money home far easier for its many citizens working in America by issuing an identification card that even illegal immigrants can use to open an American bank account. Brazil and Guatemala will soon introduce similar cards.

Since in the destination country most of the money is spent on food, housing or clothing, governments would like to channel some of it towards investment. Mexican banks have started offering remittance bonds backed by money sent from migrants. The Philippines also has issued this type of bonds.

Associations of migrants from the same town have been encouraged by Mexican State and federal governments. There are over 400 such groups from Mexico in the United States. Guatemala and El Salvador are now encouraging their migrants to get together too. In Zacatecas, in northern Mexico, the state, federal and local authorities give three dollars for every dollar contributed by migrants' associations for investment projects. In 2000, Zacatecano groups in the United States invested \$6m in new roads, schools, churches, water systems and parks. Guanajuato, a state in central Mexico, encourages migrants' associations to invest in small clothing factories at home and covers some of the start-up costs.

At this year's G8 summit, rich-world politicians noted the importance of remittances in financing small businesses, education and housing in recipient countries. As a source of finance, remittances have several advantages. Unlike development loans, they do not come with a liability or an obligation to pay interest. They are sent directly to the people for whom they are intended and then cannot be wasted by national governments. They are a more stable funding source than foreign direct investment since they will continue regardless of the risks related to the operation funded.

Having seen how important have become remittances lately, it is wondering why governments and financial institutions have usually paid them scant attention. It is mainly because they migrants typically send home small amounts, no more than a few hundred dollars at a time. But now this is changing, because though individually small, remittances are huge in aggregate; they are essential to the economies of many migrant workers' home countries; and they are now viewed as a possible means of money laundering and source of finance for terrorism.

Precisely the last issue could be one of the most problematic of remittances, since as a result of the transaction process particularities, it is hard to be sure that the mass of tiny transactions are not being used to launder money or finance terrorism. In the formal side of remittances, is plainly impossible to banks to apply know-yourcustomer rules to millions of tiny transactions. Trying to stop suspicious flows can be costly to recipient economies: recent efforts by Saudi Arabia (after America, the largest source of remittances) to crack down on the financing of terrorism have had a discernible effect on money being sent back to the Philippines.

There may also be economic costs associated with reliance on remittances. Like any unearned wealth, they may foster idleness among those who benefit. They might result in what economists call "Dutch disease", pushing up the value of a nation's currency. Some also worry that remittances are earned not only by poor migrants but by a country's most productive or essential workers—engineers and doctors, saywho supposedly could be doing more good at home. But that, surely, is their choice. And if they can earn more abroad, then they are not the only ones that gain: so do their hosts and the people back home, thanks to the funds sent from a wealthy foreign land.

BRAIN DRAIN

Considered as the depletion of labor markets from the countries of origin of its most productive and/or qualified members, brain drain remains as one of the most harmful effects on international migration, since it represents lost investment in human capital, as well as lost taxpayers and potential leaders.

Latin America, for example, has become more and more anxious about losing some of its most productive citizens. Ecuador's government says that 10,000 teachers have left the country since 1998. Over 70% of Peruvians finishing a PhD in American universities intend to stay in the United States, according to government figures. There are many businessmen and professionals among the 150,000 Venezuelans unofficially estimated to have left home since Hugo Chavez, was elected president of Venezuela in 1998. Many have sought solace in Miami, joining their counterparts from Nicaragua and Cuba who fled previous, more radical, revolutions. Emigrants from South America tend to be more educated than those from Central America, says the United States' Census Bureau.

Regarding Africa, In Zimbabwe, three-quarters of all doctors emigrate within a few years of completing medical school, and the number of doctors trained in Ghana but now registered in the UK has more than doubled between 1999 and 2004.

Nationals form African countries, such as Stefanie McDonald, from Mzuzu, Malawi, consider, as she stated in an interview with the BBC, that their governments need to take responsibility for their "brain drain" and that it will continue if an environment that will retain qualified health care workers is not created. As she asserted: "some of the conditions and facilities are absolutely appalling. If a qualified health care worker has the opportunity to make a better life for themselves and their family financially, and in addition to work in state of the art facilities, most will take the opportunity".

As far as the Middle East is concerned, Iraq is also suffering a brain drain in the country and the Iraqi government says it is going to double the salaries of university professors as part of a bid to stem it.

No exact figures are available and a government spokesman said there was little in reality that could be done to solve the problem, but it is known that doctors, teachers and businessmen have left Iraq because they feel unsafe.

The consequences of brain drain are obvious when those who leave are often the best-educated and most enterprising. As Remzi Lani, director of Albania's Media Institute, declared to the Economist: "The best brains go and don't come back. We have lost one in six of the population—almost one person per family. There are 8,000 Albanians studying in Italian universities—more than in Tirana University. How many will return? Not more than 5%. Also all three AIDS experts have gone to Canada".

Regarding brain drain effects on taxation, a recent study of the fiscal impact of India's brain drain to America, by Mihir Desai of Harvard University and two colleagues, found that the very best people were most likely to leave. There were 1m Indians living in the United States in 2001, and more than three-quarters of those of working age had a bachelor's degree or better. The earnings in the United States of a group that adds up to 0.1% of India's population are equivalent to an astonishing 10% of India's national income. The net fiscal cost to India of losing these prime taxpayers, say the authors, was 0.24-0.58% of GDP in 2002.

Some scholars consider that there are countries that would be better training more people to carry out primary care than to produce expensive doctors, if there is no market for skilled workers. Others argue that seeing highly trained people getting lucrative jobs abroad may persuade youngsters to train too, thus raising a developing country's skill levels.

In order to deter brain drain as a consequence of migration, some organizations such as the International Organization for Migration have proposed that those migrants who have developed and improved their skills abroad can be actors of the "brain gain" by transferring and infusing knowledge, skills and technology into their countries of origin.

The United Nations Development Program has launched a scheme to encourage qualified migrants to go back home for short periods of time as teachers, consultants or researchers. In 1992, Colombia's government set up a network of expatriate researchers and engineers, which now has members in 30 countries. It fosters joint research projects, in fields such as biotechnology and robotics, mainly between European and local universities. Uruguay launched a similar program in December, to draw on some of its 400,000 highly-educated migrants.

US- MEXICO

Addressing one of the most relevant problems regarding the relationship between the United States of America and Mexico, which is that there, according with the Census Bureau in 2004, America's foreign-born population in 2003 was 33.5m, some 12% of the total population. Of these, 53% had come from Latin America. Most authorities estimate 8m-12m immigrants are working in the country illegally and another 1m arriving every year where 3m of them are Mexican. Recently a different approach has been sought trough a sensible solution proposed by two senators, Ted Kennedy and John McCain, On May 12th.

America's present economic reality shows that entire industries—agriculture, foodprocessing, construction—rely on cheap immigrant labor. But America's yearly visa quotas are far too small to satisfy its needs. Although the yearly legal quota for permanent residence in the United States is 675,000 visas, the result is that since 1990 the total number of immigrants granted legal residence has averaged 962,000 a year.

The Kennedy-McCain bill tries to align America's immigration laws to the economic realities without rewarding illegal behavior, providing both illegal workers and lawbreaking employers with a ladder out of the shadow world they now inhabit. Illegal workers will be allowed to apply for temporary work permits (which will not be tied to specific jobs, as in earlier schemes). And employers will be allowed to hire immigrant workers if they can demonstrate that no Americans want their jobs. But at the same time the bill avoids being soft on illegal immigration. Any illegal immigrants in the country will pay hefty fines, as well as their back taxes, and go to the back of the queue for green cards. Employers will also face much stricter penalties. Money will be pumped into border security and a new system of alter-proof identity cards.

The results of the passing of this proposal are still to be known and its efficiency to deter illegal immigration is also to be acquainted.

Precedent show that former proposals such as the guest worker visa a new category of visa that would allow Mexicans to work for up to a year in agricultural or service-industry jobs in America have been frequently used in election campaigns to attract votes from the Mexican Diaspora. Latinos, America's fastest-growing minority, have gone from just 2% of the electorate in 1988 to an estimated 9% in 2004.

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American trade unions have successfully beaten back proposed guest-worker programs in Congress on the ground that they would bring in new competition without doing anything about existing cheap labor.

On the other side of the border, there are some proposals too to avoid the lost of Mexican human capital. Mexico's President, Mr. Vicente Fox promised to give Mexican immigrant the right to vote by absentee ballot in the Mexican elections due in 2003.

The main challenge today is to balance the needs of American firms of cheap labor and the will of Mexican to live and work in the United States. It will be necessary to follow a neutral and apolitical approach, if doing so is possible in a controversial matter like this.

<u>SPAIN – LATIN AMERICA</u>

The incorporation to the Spanish society and to its labour market of foreign migrants, not only has encouraged

economic growth, but also has become one of the main sources of wealth for their countries. The former statement has been one of the most outstanding conclusions of the report "Foreign migrants in Spain: Reshaping the society?" done by Colectivo IOE.

Statistical figures show that by January 1st 2004 there were 43.970.000 people living in Spain, where 3.690.000 (8,4%) are foreigners.

Going back to remittances, in Spain these have increased in a 560% from 1997 to 2004, surpassing financial aid granted to countries in need. In 2004, Spain gave 1.795m as financial aid, while remittances reached 3.436m, which could reach 6.500m taking into consideration transactions done through informal channels.

These immigrants come to Spain to work and do not steal jobs from Spaniards, as the results of the poll of active population provide. In effect, the 4.6m posts created since 1997, only 1,5m have been occupied by foreigners and that the numbers of Spaniards that entered the labour market (in the period between 1997 and 2004) are less that the number of posts created and no taken by foreigners. Hence, the conclusion derived form the analysis.

Also the study provides that foreigners are been used in labour intensive jobs, such as agriculture, building, hotel and catering industry, and that this individuals are been incorporated to a labour market in movement, a dynamic situation where the inclusion of some do not imply the exclusion of others.

In terms of Social Security, the study concludes that foreigners give more of what they can "consume" as social services. Last April, affiliation of foreigners to Social Security increased in 77.775 individuals, for a total amount of 1.232.348, in accordance with data published by the Labour and Social Affairs. From the total amount of affiliates, almost four of each ten comes from Morocco or Ecuador, and a quarter in building. 955.927 individuals come from non UE countries.

As a result of the poll done by the "Centro de Investigaciones Sociológicas" (CIS), the current trends in Spain regarding international migration are as follows: 61,9% consider that illegal immigrants currently living in Spain must be legalized, while 25,8% prefer to have them deported; the amnesty process is know by 84,9% of the citizen and 47,6% believe that it will help to solve the immigration issue, while 33,4% do not believe so. In any case, 76,5% of the citizens relieves that the most adequate policy to face immigration is to let enter only foreigner with a labour contract. Also immigration has raised to the third place in the opinion of the individuals polled as the most important problem in Spain, having a 29,5% of the answers.

Regarding the amnesty, it has not been popular in other EU countries. German and Dutch officials have called for an early-warning system under which EU members would inform each other of immigration initiatives. The French interior minister, Dominique de Villepin, has dismissed the notion of amnesties. The Spanish media made much of immigrants trying to enter from France. Several hundred Pakistanis living illegally in France have been thrown back there. "Spain is considered an easy ride," says Ana Pastor, the opposition People's Party (PP) spokesman. The newspaper El Mundo writes of "avalanches of migrants, who could bring with them problems of crime and integration."

The National Statistics Institute produced figures last month showing that Spain has now overtaken France as a favoured destination for immigrants. The numbers have quadrupled to 3.7m a year. The amnesty is unlikely to stem the flow: the stretch of water that separates Morocco from Spain represents one of the widest income differentials in the world.

The amnesty has come at a time when the EU is considering a single policy for immigration. Mr Sandell dismisses the very notion, saying that "Spain has to put in place mechanisms to produce regular foreign labour appropriate to Spain's needs." It might help if the EU did more to foster the economies of its North African neighbours, but the "Barcelona process", which was meant to do that, is largely moribund. Maybe it could be revived to mark its tenth anniversary this year.

<u>UK – NEW MEMBERS STATES OF EU.</u>

According with a report issued by Germany's DIW Institute the UK has been the top destination for immigrants from the 10 new European Union member states since the trade bloc expanded on May 1st 2004, taking in 10 new members - Poland, Lithuania, Latvia, Estonia, Cyprus, Malta, Hungary, Slovenia, Slovakia and the Czech Republic. It estimates that up to 150,000 people have migrated to the older members since May 2004.

Economic research group DIW found that more than 50,000 people had made their way to the UK over the past 12 months. However, that figure is much lower than other estimates and the UK government puts the number closer to 130,000. About 123,000 successfully obtained work permits, the UK said.

The figures from the DIW are lower than many other estimates, especially regarding the UK where government figures released earlier this month show that about 130,000 nationals applied to work in Britain between May and December 2004.

At the time there were concerns that the expansion of the EU's borders would lead to a surge in both legal and illegal immigration. According to DIW analyst Herbert Bruecker the discrepancy occurs because DIW figures are calculated in a different way from other reports. The DIW based its estimate on the number of immigrants arriving in the UK who had never visited or worked in Britain before, he explained. This new problem is adding concerns to the typical immigration problem in UK, where locals blame "the tourists", as immigrants are known, for unemployment and the difficulties of securing public housing. This issue is by far the most pressing issue in UK elections, where political parties as the British National Party (BNP), a far-right outfit campaigns for the repatriation of non-whites. One in five people in his district did the same.

CONCLUSIONS

From the analysis, it has become evident the increasing relevance of international immigration, that the main issues have spotted and that states and businesses are developing effective mechanisms to match labour needs with supply, and follow through with swift and effective integration.

International organizations such as the International Organization for Migration, the World Bank, the International Monetary Fund, and the Inter-American Development Bank are working tête a tête with states in order to favor integration of migrants in their countries and to help countries to get the most out of this growing and likely unstoppable process.

International migration properly managed holds enormous potential for the development of countries through remittances as source of external funding for developing countries to help them to increase its standard of living and through "brain gain" process to correct the depletion of labour market from its most qualified workers and incorporating their knowledge into the social tissue of the home countries.

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