



Workshop

*Fostering the nexus of migration, human rights,
trade and investment for development:
Swiss Migration Partnerships*



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Role of official development aid

- There are currently doubts as to the role of official development aid (ODA) and whether, by itself, it can effectively contribute to poverty reduction and to the promotion of development in poor countries. While people continue to migrate, especially in recent years, because of the deep financial crisis, traditional donor countries are minimizing ODA. This situation is accelerating the rhythm of integration of new elements into the development agenda.
- There is a belief that it is increasingly inevitable that ODA policies will have to be combined with other elements, such as trade, investment, agriculture or education. That is, mainly with other areas or domains which impact directly or indirectly on development and with the interventions of private stakeholders on behalf of poor countries.



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Globalization and Migration

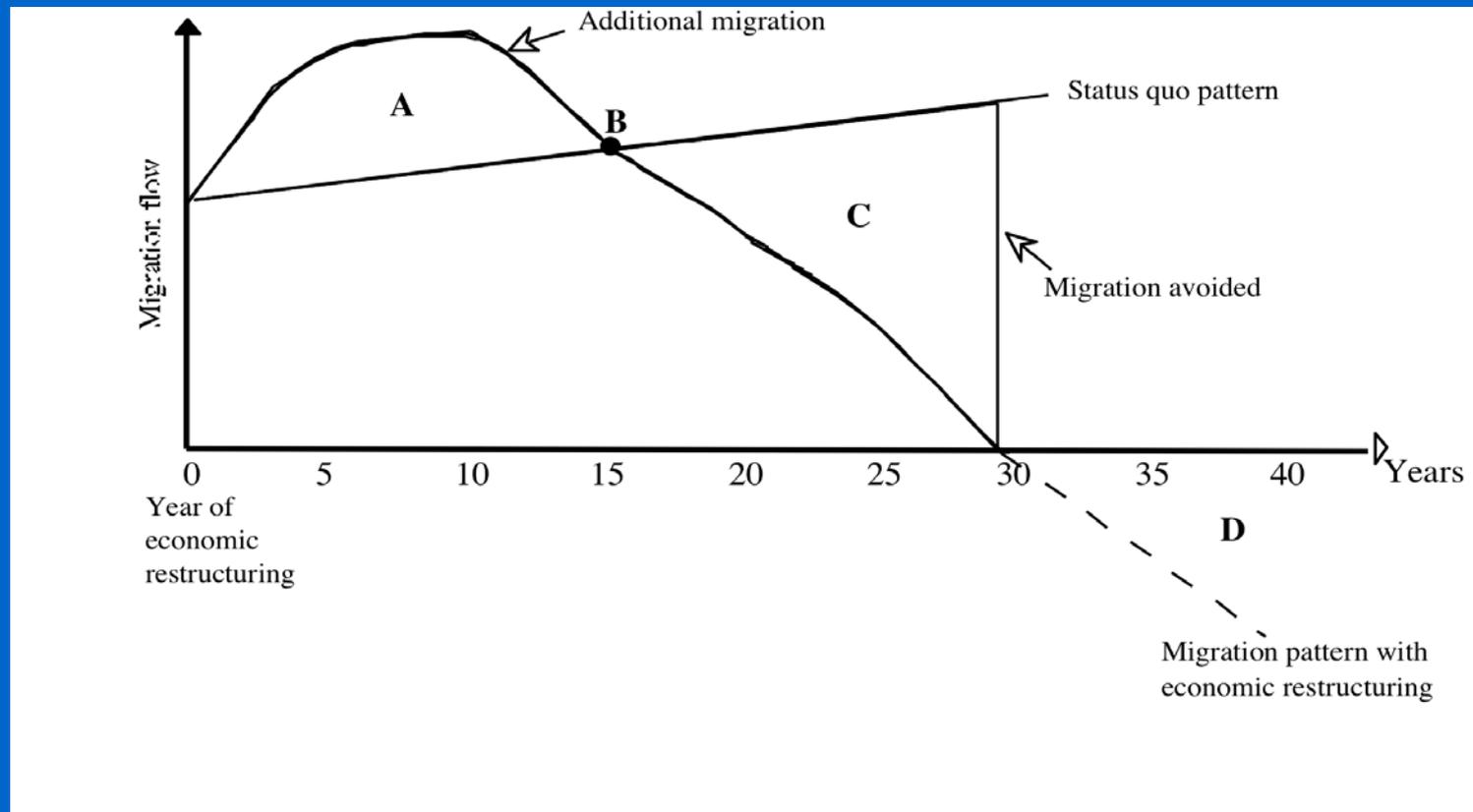
- The cross border movement of people is not regulated by an international regime but rather is an expression of national sovereignty. However migration is a transnational phenomenon and one country alone cannot hope to solve the rising number of challenges it poses.
- Globalization leads more and more to strong linkages between migration and other policy areas, such as trade, investment, human rights, education, development and security and has an impact on the sovereign right to determine who enters and stays on the territory.
- Switzerland advocates for the inclusion of developmental aspects in Swiss migration policy.
- Swiss Migration Partnerships are the model instrument for the inclusion of development and other aspects such as trade, investment, education and human rights amongst others.

Development and Migration

- Goal is development, achieve MDGs, migrate from choice, not necessity
 - Faster development with freer trade and investment? Generally yes
 - Less migration with freer trade and investment? Maybe
 - Trade and migration = substitutes, goods embody labor
 - Trade and migration = complements, migration hump

Source: Phil Martin, 2009

Migration Hump



Source: Phil Martin, 2009



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		migration in the short run	the long run	
	Technologies Differ	Labor-intensive production in south cannot compete with capital-intensive production in north	Production of goods in which south has a comparative advantage generates jobs	Poor infrastructure and public services may retard new job creation
	Factor Productivity Differences	Wage differences are insufficient to create comparative advantage in labor-intensive production in south	Public investment in education and infrastructure closes the productivity gap	Failure of public policies to close productivity gap over time
	Economies of Scale	Industries Using Migrant Labor in the North Expand, lowering costs of production and South cannot Compete	Public investment in education and infrastructure in south closes the productivity gap	Failure of Public Policies to Counteract Scale Economies in Northern Migrant-intensive Industries
	Adjustment Lags and Costs	Lags between economic integration and job creation Factor specificity: displaced corn farmers not hired as factory workers, so loss of subsidies prompts emigration	Economic integration create jobs in south, especially for better educated younger workers most prone to migrate	Poor public services, discourage investment, extend the investment-employment lag and fail to overcome factor specificity problems
	Market Failures	New jobs in south provide	New jobs and factor	Limited employment





International Coordination

- Switzerland's migration partnership agreements were conceived as a new simple and flexible steering tool for migration.
- Awareness of the need to approach migration in a spirit of partnership
- Border security, visa relaxation, readmission and development aid are combined within a single package agreement.
- The framework for concluding these partnerships with migrant source or transit countries is Article 100 of the Swiss Alien Act of 2008.
- Beyond this legal basis, there is an official strategy to fill the concept with content or direction. Switzerland seeks to establish migration partnerships with those countries from which it receives large numbers of migrants and with those to whose development it wishes to contribute, for example Bosnia and Herzegovina, Serbia, Kosovo, Nigeria and Tunisia.



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Swiss Migration Partnerships

What are the key elements of such Migration Partnerships?

- The concept of the migration partnerships is set out in article 100 of the Federal Law on Foreigners, which charges the Federal Council to promote bilateral and multilateral migration partnerships with other countries.
- Migration partnerships are designed to be long-term and to continue for as long as it benefits the partner States.
- They are formalized either by means of a treaty (binding agreement under international law) or by a memorandum of understanding (non-binding agreement under international law or letter of intent).



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Content

- The content of a migration partnership is flexible and varies from one partnership to the next, since it reflects the specific interests of the particular partners.
- Essential aspects of migration partnerships include projects and programmes that have a concrete bearing on questions related to immigration and emigration, such as, for instance, in the following areas:
 - Promotion of voluntary return and reintegration
 - Strengthening of state structures in the country of origin
 - Prevention of irregular migration
 - Legal migration
 - Support in the fight against human trafficking
 - Migration and development
 - Integration of migrants in the host country





Global Approach to Migration

- As part of a global approach : migration partnerships can also encompass other foreign policy and foreign policy activities of relevance to issues of migration, such as:
 - PROMOTION OF HUMAN RIGHTS, TRADE, INVESTMENT, EDUCATION, AGRICULTURE, SECURITY and others.



(W)hole of government approach

- Interdepartmental approach :
“In concrete terms the conclusion of a migration partnership is intended to ensure a coherent Swiss migration policy (“whole of government approach”) that operates in the interests of all partners by promoting the positive sides of migration whilst also providing a constructive framework within which to solve the challenges it poses (partnership approach)”.

(Source: Federal Office for Migration)



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EU

- Inclusion of certain elements of the partnership based approach in its common migration policies:
 - Tampere Summit in October 1999
 - Hague Programme 2004
- European Commission stresses the need to focus the dialogue with partner countries on strategies aimed at reducing poverty and improving living conditions in countries of origin.
- Cross-pillar dimension aiming at creating more coherent strategies
- Based on a long-term strategy
- EU member states also developed strategies based on partnership.





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Challenges

- For a successful partnership, it is essential that the interests of both sides are taken into account in a partnership approach
- Dialogue and mutual understanding are key elements of such partnership for more trust building.
- Long-term and efficient migration strategy.



Phil Martin says..

Migration: Win-Win Policies

- Recruitment
 - Ethical recruitment on health care workers; need to reconsider training & work systems
 - Less effective cooperation on recruitment costs
- Remittances
 - Success in formalizing and reducing costs with education, competition, and technology
 - Less success in turning enlarging islands of successful development
- Returns, Integration, Circulation?
 - What are win-win outcomes?