

TOWARDS A PARTNERSHIP APPROACH TO LABOUR MIGRATION?

TEMPORARY LABOUR MOBILITY IN THE NEW GENERATION OF BILATERAL MIGRATION AGREEMENTS OF FRANCE & SPAIN



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Background

- A desire for **circular skill flows**, in accordance with the **needs of the labour market**.
- **New generation** of **bilateral migration agreements** of France & Spain vs. “old” guest-worker agreements.
- **EU Global Approach to Migration** :
 - **regular migration** (mainly labour migration),
 - fighting against **irregular migration**,
 - **development** issues.



➔ The new BLAs operationalise a **paradigm shift** towards a logic of **partnership** defined by **shared advantages and responsibility** between countries of origin & destination in the management of migration flows.

Introduction

- On their face, the new BLAs seem to implement the soft law principle of ***shared responsibility***.
- In reality, **labour mobility competes with other goals** (e.g. readmission cooperation or joint border securitisation).



- The agreements remain **asymmetrically** tilted in favour of destination countries' interests.
- **Political tools** to intensify the relationships with former colonies and new partners, with a view to optimally competing in the “**global hunt for talent**” and at the same time, for **readmission** quotas.

Research questions

1. What is the **added-value** of these new agreements over **unilateral immigration law** or **multilateral instruments** such as the GATS Mode 4 and the Convention on Migrant Workers' Rights?

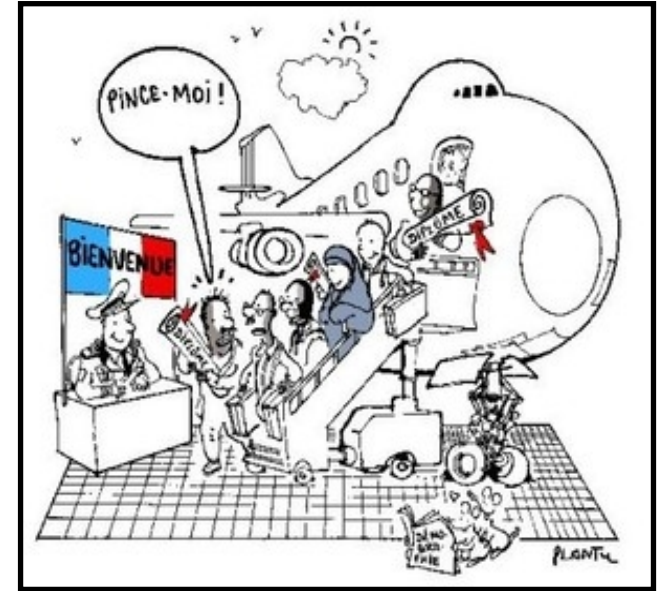


2. Why do countries prefer to **auto-limit their sovereignty** through **bilateral** migration agreements rather than in the context of a **multilateral** framework?

3. What are the **gains and disadvantages** for the countries of destination and of origin, the migrants themselves, consumers, producers, those left behind and employers?



4. Can such agreements be used as **correctives** to the **high-skill bias** in particular of France's new immigration law?



5. Should the **role of private sector and international organisations** be formalised within the agreements or should their engagement remain on an *ad hoc* project basis unrelated to agreements?

Methodology

- **Comparative** case study taking a **pluridisciplinary** perspective (**law, economics and political science**).
- Tracing the **treaty-making process** (i.e. inception, development and negotiations).
- Primary sources: BLAs (old guest-worker, co-development and other migration-related agreements) and unilateral public policy on migration (laws, rules), official documents, semi-structured interviews with relevant government representatives.
- Secondary sources: academic literature review, media and scientific reports.

Expected outcomes

- To establish to what extent the French and Spanish model can serve as a **basis for a prospective EU model agreement on economic migration.**
- To contribute to a better understanding of **possible alternatives** to and **substitutes** for the **lack of international rules on economic migration.**
- To contribute to a better understanding of the linkages between **trade, development and migration**

