

Rethinking Global Migration:

Practices, Policies and Discourses
in the European Neighbourhood



KORA

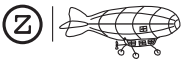
Rethinking Global Migration: Practices, Policies and Discourses in the European Neighbourhood

KORA - Center for Black Sea and Central Asia
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Introduction

This volume is an output of a European Union (EU) Sixth Framework Programme (FP6) Project called Global Migration from Eastern Mediterranean and Eurasia: Security and Human Rights Challenges to Europe (GLOMIG). Within this project we, as the project coordinator institution [Centre for Black Sea and Central Asia (KORA)] and project partners, carried out a series of workshops and a conference, where these papers in this volume were discussed.

The policy papers of the four international workshops have been published in the book called “Challenges of Global Migration: EU and Its Neighbourhood” and the conference proceedings constituted a second volume called “Rethinking Global Migration: Practices, Policies, and Discourses in the European Neighbourhood.” The common denominator of these works as the outcome of the project has been the argument claiming that migration is an issue of mutual interest for the EU and its neighbours.

Besides attempting an academic outlook, the innovative aspect of this project was two folded. First it brought together a wide range of actors including government officials, academics, representatives of non-governmental organisation (NGO), international non-governmental organisations (INGO) and advocacy units, and stakeholders (migrants themselves) at national, regional and international levels. Secondly, this project provided a milieu for the deliberation of different perspectives, specifically the perspectives of the countries that send and receive migrants and the institutions that control migratory processes as well as the migrants themselves. GLOMIG focused on the Western Balkans¹, Caucasus², Russia, Eastern Mediterranean³ and Turkey. More specifically, enabling the interested parties from the EU and countries from above-mentioned regions to share their insights, experiences, and know-how on migration, the project aimed to contribute to the European Research Area through the creation of a common platform.

Migration is an issue of mutual interest for the EU and its neighbourhood. In that respect, one of the principal objectives of the GLOMIG, therefore, was the enhancement of international cooperation among both groups. The EU’s capacity, expertise, and know-how in social sciences and migration research have been key resources for the neighbouring countries in coping with the challenges of global migration. Through the creation of platforms described in the work plan, the regional perspectives from the Western Balkans, Caucasus, the Eastern Mediterranean, and Russia, on the other hand, can provide the stakeholders in the EU with a crucial overview on the local perspectives about the causes and consequences of migration as well as impact of the EU migration policies and implementations on these countries.

1 Albania, Bosnia and Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Serbia and Montenegro

2 Armenia, Azerbaijan, and Georgia.

3 Egypt, Israel, Jordan, Lebanon, West Bank and Gaza Strip, and Syria.

Since the mid 1990s, migration has become an increasingly essential component of interstate relations. Until that period, migration used to be discussed mainly in the context of population movements from less developed countries to developed ones. As a result of an accelerated process of globalisation, the interconnectedness between economic, political, social, and cultural spheres has drastically increased. By 2002, there were about 170 million persons living either legally or illegally in countries other than their country of origin (<http://www.un.org/>). According to the Reports of the International Labour Organisation (ILO) 98 countries are involved in the process of major population movements. Today, within the context of globalisation processes in developing countries, millions of people living in difficult working and living conditions may be seen as a reservoir of labour at the disposal of developed countries. In response to the flow of labour migrants resulting from the deregulation of markets, the receiving countries, are expanding their regulatory mechanisms both at the nation state and regional levels (such as the European Union) in order to secure their borders (Coleman & Rowthorn, 2004). Parallel to these developments, migration movements gained new quantitative and qualitative dimensions. This has usually been referred to as 'global migration', with transnationalism being its most important aspect. Within this novel framework of migration, the policy making and coordinating capacities of nation states have been challenged and, therefore, search for new strategies have been initiated, in the field of policy making and migration research.

One of the most important components of such strategies consists of the attempt to (re)define and (re)formulate the complexity of these new global migration movements. Whereas the 'classical' approach towards migration emphasised the importance of the economic aspects (e.g. under the heading of labour migration) (Werner, 2001; Angrist & Kugler, 2003), recent discussions, mainly developed by political actors of the (developed) receiving countries, are focusing on security aspects. In part owing to the worries of the receiving countries in coping with illegal labour migration and the resulting problems of adaptation and integration, the new security discourse reflects the fear of terrorism, symbolised by the September 11 attacks in the US and the train bombings in March 11 in Madrid. Therefore, the focus on security began to predominate over other aspects of migration including human rights issues. While the focus on human rights forms the legal framework for asylum and refugee policies after the Second World War, the emphasis on security provides a new framework for the emergence of a globally coordinated policy on migration (IOM, 2003).

The process of Europeanisation necessitates, on the one hand, institutional cooperation between different European organisations and states, and, on the other hand, a social and cultural consensus, shared feeling of togetherness, and belongingness of European citizens. In other words, the constitution of the "European Idea" is based on the principles of co-operation, inclusion, and integration. On the other hand, the European Union is increasingly attempting to emphasise a security based approach especially in its close neighbourhood. An example of the emerging security dimension is the vagueness of the EU Constitution on "Border Checks, Asylum, and Immigration" (2004). It is notable that the Treaty, while stressing that all nationals of member states are citizens of the Union and have the right to freely move and reside within its territory, there are few attempts to harmonise the conditions under which migrants can acquire citizenship. Here it might be useful to refer to Article III – 267 of the Constitutional Treaty: "1. The Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings, ...in particular women and children" (The European Union Constitution on Border Checks, Asylum, and Immigration).

Even though historical-social patterns of migration such as the direct exploitation of human resources are still relevant for basic understanding of migration, the determining factors have changed (De Jong, 1999). Currently, these determining factors consist of different forms of population movements such

as trafficking, especially of women and children, smuggling, and transit-migration. As a consequence of the wide-ranging diversity of global migration based on different forms of population movements, the new migration discourse necessitates the formation of integrated and coordinated network structures, both at institutional and academic levels.

The Global Commission on International Migration set up in 2003 and the World Commission on the Social Dimension of Globalisation formed in 2002 have to be considered as important developments in reaching a common understanding of cross-border movements of people. Referring to the Global Commission's report, it is expressed that "benefits of globalisation must be more equitably distributed ... the globalising trends in the world economy should be matched by similar advances in social and political institutions. One of the features of the existing imbalance is that 'goods and capital move much more freely across borders than people do.'"(The World Commission on the Social Dimension of Globalization: On the Cross-Border Movement of People, p. 375)

In the GLOMIG project, during the presentations and discussion of the policy papers in the project, we have touched upon a number of issues. In addition to the study of the political, economic, and social causes and consequences of migration, there has been a special focus on new dimensions like security, human rights and democracy, gender issues, as well as the formal and informal networks involved in the initiation, realisation, and perpetuation of migration. Moreover, further attention has been paid to key subheadings such as; the causes, the forms, the routes, and the consequences of smuggling and trafficking, efficacy of preventative and combating measures, and international cooperation in these respects. The most important and novel dimensions of the project outcomes have been the creation of the platforms through which regional perspectives and insiders' views can be reformulated and integrated into novel frameworks, in addition to advancing existing research on migration through the introduction of new issues and dimensions.

Although there is continuity concerning the constitutive elements of migration, a drastic shift has become increasingly visible in the form of a so-called feminization of migration. In the past women were migrating mainly to join their spouses in Europe. Yet, now more women are also migrating independently, for economic reasons, as students and refugees. Women also form significant numbers of undocumented workers.

Undocumented employment indeed has become an increasing reality for Europe. The so called 'migration industry', i.e. individuals and organisations involved in the transportation and often job placement of persons without documents, has grown tremendously in recent years. For example, in the late 1970s, there still existed a certain demand for labour (particularly female labour) in most sectors of the European economy. But women who have migrated recently are faced with the fact that, apart from sex work or domestic work, their chances for employment are highly limited.

Having discussed a variety of issues throughout the last two years, we have come up with these two volumes. We hope that these volumes will help to facilitate transnational cooperation in comparative impact analysis on the presentation of migration. We hope that through these volumes we shall be able to promote interdisciplinary and multidisciplinary research and policy measures which will incorporate the perspective of a number of stake holders in a wide geographical area, including Europe and its neighbourhood.

In these two volumes, there are papers of different perspectives on different but related issues; giving examples from a range of geographical spots. All of the papers are important to understand the picture as a whole.

I want to express the gratefulness of the project to all of the paper presenters with in the volumes. They have made these products possible by contributing their accumulated knowledge and experiences.

The workshops were at different venues, organized with different partners. In each venue, there were a number of organisers, so we owe special thanks to them. I also would like to thank to all of the research assistants of KORA, Gökten Doğangün, Arda Aksular and Duygu Ünsal. However, I want to mention two names Dr. Hayriye Kahveci and especially Birce Albayrak-Coşkun, who have acted as facilitators and managers throughout the whole project.

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- Institute for Policy Studies (IPS), in Tbilisi, Georgia.

Throughout these two years they have cooperated, contributed with their time and experience, and made this project work.

I hope the volumes will enhance the intellectual capacity and policy frameworks on the GLOBAL MIGRATION.

Prof. Ayşe GÜNEŞ-AYATA

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**Migration and Terrorism:
The Influence of Anti-Terror Legislation on Asylum Law in Europe and Germany**

Simone Emmert
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Introduction

I must own, notwithstanding, that the practice of the freest nation that ever existed induces me to think that there are cases in which a veil should be drawn for a while over liberty, as it was customary to cover the statues of the gods. (Montesquieu, 2003, p. 257)

It was the French Enlightenment political philosopher Charles Montesquieu (1689-1755) who recognised more than 250 years ago that “in most states liberty is more checked or depressed than [the] constitution requires” and that there are “particular laws” that “in each constitution are apt to assist or check the principle of liberty” (Montesquieu, 2003, p. 254).

The different terrorist attacks which occurred on September 11, 2001, in New York and Washington, D.C.; on October 13, 2002, in Bali; on March 11, 2004, in Madrid; and on July 7, 2005, in London shocked the world public first and foremost with their cold-bloodedness.

Drawing the attention of the press, these acts of brutal force gained in importance. Now, the public’s fear of further terrorist attacks has been stoked so that, finally, the balance between security and freedom is destabilised (Meyer, 2002).

Governments affected by terrorism are being forced to respond to political insecurity. One option is to react against force by using force, or ‘counterterrorism’ (Meyer, 2002; Townshend, 2005, p.156), exemplified by the so-called ‘war on terrorism’ (White House, 2001) which was declared by U.S. President Bush on September 20, 2001, and which effectively began on October 10, 2001, with air strikes on the Afghan capital of Kabul.

Another option is to react through legislation. In the aftermath of a terrorist attack, there is a mass appeal for legislators to close assumed gaps or weak points in the law through new and more restrictive rules, yet these rules often constrain freedom and rights even more than is necessary in view of the actual, concrete danger. Anti-terrorism laws unduly violating freedom and rights have been passed in many different national contexts. The right to freedom of the press (Article 19 of the Universal Declaration of Human Rights, UDHR) has been violated in Canada: the Canadian National Defence Act authorises the government to wiretap calls between Canadian journalists and people overseas for the purpose of getting information (Reporters Without Borders, 2002). The right to a fair trial (Article 10 of the UDHR) has been violated in Britain: the British Terrorism Act permits detention without enquiry and indictment (Reporters Without Borders, 2002). Presumption of innocence until proven guilty (Article 11 of the UDHR) has been violated in the U.S. in the case of 9/11 hijacker Zacarias Moussaoui (Reporters Without Borders, 2002). Finally, the right to equality and non-discrimination (Article 2 of the UDHR) has also been violated in the U.S.: Arabic and Muslim communities there have reported assaults (even some homicides), moral pressure and unfair dismissal (Reporters Without Borders, 2002).

In this way, nominally democratic governments have drawn Montesquieu’s veil over the freedoms and rights and individuals. Laws which constrain the freedom of individuals in order to protect the freedom of the nation are enacted primarily in the fields of immigration and asylum law, and they are especially focused on preventive measures (ECRE, 2000; JRS, 2004, p. 24).¹

The Phenomenon of ‘Terrorism’

The term ‘terrorism’ was first officially used during the French Revolution, and at that time it had a positive connotation (Hoffman, 2002, p.15). The so-called ‘régime de la terreur’ of the years 1793-94 was established to implement order and put an end to an anarchic period of civil disturbances and riots in France.

The ‘terrorist’ régime’s aim was the stabilisation of the new government’s power through the intimidation of its opponents and dissenters, who were deemed the ‘public enemy.’ During this period, terrorism was linked with the ideals of virtue and democracy (Hoffman, 2002, p.16).

After the end of the ‘régime de la terreur,’ the positive connotation of ‘terror’ soon changed into a negative connotation. Terrorism became linked with the abuse of power and authority by obviously criminal elements. The late eighteenth-century political philosopher Edmund Burke made the term ‘terrorism’ popular when, in his *Reflections on the Revolution in France*, he referred to those people as terrorists who ‘hope to secure their constitution by a terror of a return of those evils which attended their making it.’ In his writing, he speaks about the ‘terror of the bajonet’ and gives examples of the change in the connotation of terrorism; he also mentions terrorists as those who ‘have perverted in themselves and in those that attend to them, all the well-placed sympathies of the human breast.’

Burke’s negative connotation of the term ‘terrorism’ has survived for more than 200 years. Today, terrorism is not thought of as an instrument to establish democracy but as an instrument to destroy democracy.

But What Exactly is ‘Terrorism’?

No universal definition of ‘terrorism’ exists. The primary problem with finding a suitable definition for terrorism is that the persons or the groups who are labelled as terrorists do not identify themselves as terrorists; instead, it is the governments of the states which are the targets of terrorism which label these people and groups as terrorists (Townshend, 2005, p.12). Governments themselves do not have much difficulty defining ‘terrorism,’ but a state-given definition creates the following semantic problem: “for one a terrorist is for the other a freedom fighter” (Ibid, p.12).² As a consequence, some groups or organisations may be arbitrarily classified as ‘terrorist groups,’ and their memberships may be liable to prosecution. ‘Terrorism’ includes a list of punishable offences, but most of these offences are already covered by criminal law (for example, hostage-taking and causing an explosion).

Walter Laqueur (2006), one of the founders of scholarly terrorism research, argues that definitions which apply to one state or one specific time period might be inapplicable to another state or another time period. According to Laquer (2006), ‘terrorism’ is not an ideology but a method of fighting which expresses itself differently in different contexts. Consequently, no ‘terrorism’ exists under repressive dictatorships; it only exists in democracies and failed states which lack a functional government.

According to the definition given by the German Federal Office for the Protection of the Constitution (2007), terrorism is the “enduring fight for political aims which shall be achieved by attacks on the life, the limb and the property of others, especially through those violent crimes which are named in §129a of the German Criminal Code” (p. 358).

The European Union defines a ‘terrorist act’ but not ‘terrorism’ itself. The E.U. Council’s decision of June 13, 2002, on combating terrorism defined two categories of terrorist offences: an objective category, comprised of actions that would always be considered terrorist offences (such as attacks upon a person’s life, kidnapping or hostage-taking, and the seizure of aircrafts), and a subjective category, comprised of actions that would only be considered terrorist offences when intentionally committed with a specific terrorist aim, as described in the decision (Council of the European Union, 2002).

With all of this in mind, it can be stated that terrorism is a strategy or instrument of fighting that exists primarily in democracies. Before 9/11, terrorism was usually selective, aimed against leading personalities

² This semantic formulation originated when Syria refused to agree with the opinion of the U.K. and U.S. that the armed actions of Arabs against Israel were part of the global phenomenon of ‘terrorism’ (Townshend, 2005, p.12).

of the political opposition. Since 9/11, terrorism has broken with social and moral conventions and has focused more on introducing increased psychological effects in society through the targeting of defenceless victims. Still, 'terrorist' crimes were widely regulated by law even before 9/11.

In relation to the problem of defining 'terrorism,' the problematic term 'religiously motivated terrorism' also arises. It is important to state that this phenomenon of associating religion with terrorism is not new; indeed, Edmund Burke (2001) speaks in his *Reflections on the Revolution in France* about those 'who, under the name of religion, teach little else than wild and dangerous politics'.

Given the religious context in which terrorism often manifests itself, it is necessary at this point to distinguish between 'Islamic,' 'Islamism,' 'Fundamentalism,' 'Extremism' and 'Radicalism.' The superficial use of these terms in reference to religion can cause a great deal of misunderstanding and possibly even lead to Islamophobia.

'Islamic' is an adjective referring to the complex form of the Muslim religion, which can be considered a legal, sociological and political order asserting a general claim (Hirschmann, 2002, p.56).

'Islamism' is rather a political and not a religious ideology which aims for political power. (Hirschmann, 2002, p. 56; Steinberg and Hartung, 2005, p. 681; Laroui, 2006, p. 155). Scholars such as the Persian Nourbakhsh (2004) interpret radical religious movements as a "response to forced modernisation and rather as pathological phenomenon[a] within a problematic process of a political and social change" (p. 56). Nourbakhsh (2004) stresses that supporters of radical religious associations possess a "superficial and dogmatic relationship to their doctrine," which only accepts modernity for the technology which comes along with it, and which neglects "legality, tolerance and dialogue" (p. 58). The German scholar Wenzel (2004) regards Islamism as a "political stream or strength for action in policy and society" which is minimally influenced "by [the] religious and cultural traditions of Muslim states and people" (p. 747). The term 'Islamism' is often used by Muslims themselves when speaking about the ideas of radical Muslims.

'Fundamentalism' arose in a traditional Christian context in the U.S. at the beginning of the twentieth century (Heine, 2002, p. 115). At the time, conservative Protestant Christians were fighting against the theory of evolution being taught in public schools since, for them, the world's existence could only be explained through the fundamental truths found in the Book of Genesis. In Islam, the conception of the world's origin is different from that in Genesis; the Creation is believed to be "at anytime readily available, at any moment experienced event and not as a singular act of Creation" (Heine, 2002, p. 115).

According to the definition of the German Federal Office for the Protection of the Constitution, 'extremism' aims at the abolition of the democratic constitutional state and the core concepts of the constitution (Bundesministerium des Innern, 2007, p. 349). One can differentiate between right-wing extremism, left-wing extremism and religiously-motivated extremism.

In the view of the author, Islamic-motivated extremism should be spoken of as politically-motivated extremism rather than as religiously-motivated extremism. As mentioned above, Islamism is a political ideology which, though deduced from religion, misuses religion for political and economic purposes. Every religion, including Islam, aims at the encouragement of peace, understanding, compassion and love and condemns terrorism, violence and the destruction of life and property. Each individual is therefore required to live in peace and love with himself and also to live in peace and love with others (Anaruddha, 1986, p. 65; Arinze 2002, p. 11).

In contrast to 'extremism,' 'radicalism' aims not at the elimination of the democratic constitutional

order or the principles of democracy. The German Federal Office for the Protection of the Constitution defines extremism as “an exaggerated form of thinking and acting, sometimes tending to be extremist, wanting to solve problems and conflicts by getting at their roots” (Bundesministerium des Innern, 2007, p. 349). In fact, the Latin word ‘radix’ (meaning ‘roots’) gives its name to ‘radicalism.’ While the terms ‘extremism’ and ‘radicalism’ are often used interchangeably, the two terms are not the same, and in fact, they denote very different aims.

In the view of the author, the differentiation between all of these different terms is essential and important. On the one hand, such differentiation helps to counteract increasing Islamophobia and the negative image of Islam as a violence-glorifying religion. On the other hand, such differentiation will allow inter-religious and inter-cultural dialogue to progress, which will ultimately help support the integration of Muslim inhabitants into society and thereby combat terrorism.

Risk Potential

Since 9/11 the fear of foreigners (especially refugees and migrants) committing terrorist attacks rages. But, in reality, how high is the risk that refugees or migrants will commit ‘terrorist’ offences? In order to address this question, the criminal statistics in the Annual Reports of 2005 and 2006 on the Protection of the Constitution in Germany can be analysed (Bundesministerium des Innern, 2006, 2007). In 2005, no ‘Islamist-motivated terrorist attacks’ were recorded (Bundesministerium des Innern, 2006, p.197). In 2006, only two Islamist-motivated terrorist attacks —both of which were unsuccessful attempts to explode suitcase bombs on Deutsche Bundesbahn trains on July 31, 2006— were recorded (Bundesministerium des Innern, 2007, p.210). Elsewhere in Europe, there were other planned and executed terrorist attacks during the years 2005-2006. In July 2005, attacks on the underground and buses in London killed 56 people and injured 528 people (Bundesministerium des Innern, 2006, p. 202). In 2006, Islamist-motivated terror plots were uncovered in Italy, Spain, France, Switzerland, Denmark and Greece (Bundesministerium des Innern, 2007, p. 215).

The Annual Reports further distinguish between Islamist-motivated terrorist attacks and politically-motivated offences committed by foreigners (Bundesministerium des Innern, 2007, p. 42, 210):

An offence is defined as politically-motivated if the circumstances of the offence or the attitude of the offender lead to the conclusion that it is directed against individuals due to their political beliefs, nationality, ethnic origin, race, colour, religion, ideology, origin, sexual orientation, disability, appearance or social status. This information is evaluated from various perspectives, paying particular attention to the nature and seriousness of the crime, the motive, and whether it has any international or extremist elements.

In 2005, when there were no terrorist attacks, foreigners committed 771 politically-motivated crimes (Bundesministerium des Innern, 2006, p. 22, 197). In 2006, when there were two Islamic-motivated terrorist attacks, foreigners committed 691 politically-motivated crimes (Bundesministerium des Innern, 2007, p. 42, 210). ‘Extremist’ crimes are included in the count of politically motivated-crimes by foreigners. See the table of statistics below (Bundesministerium des Innern, 2007, p. 43):

Straftaten mit extremistischem Hintergrund aus dem Breich - Politisch motiviert Ausländerkriminalität ¹		
Gewalttaten	2005	2006
Tötungsdelikte	0	0
versuchte Tötungsdelikte	0	0
Körperverletzungen	24	45
Brandstiftungen	3	16
Herberiführen einer Sprengstoffexplosion	0	1
Landfriedensbruch	2	8
gefährliche Eingriffi in den Bahn-, Luft-, Shiffs- und Straßenverkehr	4	6
Freiheitsberaubund	0	0
Raub	1	1
Erpressung	11	11
Widersandsdelikte	2	7
Sexualelikte	0	0
gesamt	47	95
Sonstige Straftaten		
Sachbeschädigungen	23	38
Nötigung / Bedrohung	20	34
andere Straftaten	554	310
gesamt	597	382
Straftaten insgesamt	644	477
¹ Die Zahlen baslaren auf Angaben des Bundeskriminalamtes (BKA). Dia Übersicht enthält - mlt Ausnahme der Tötungsdelikte - vollendete und versuchte straftaten. Jede Tat wurde nur einmal gezählt. Stnd zum Belsplal wahrend aines Landfrieledensbruchs zugleich Körperverletzungen begangen worden, so erscheint nur die Körperletsung als das Delikt mit der höheren Strafandrohung in der statistik. Wurden mehrere Staraftaten verübt, wurde ausschließlic der schwerwlegendere Straftatbest and gezählt.		

In 2005, 644 politically-motivated crimes were committed by foreigners with an extremist background, while in 2006, 477 such crimes were committed (Bundesministerium des Innern, 2006, p. 43). The rate of violent crimes should also be considered. In 2005, 47 violent crimes committed by foreigners with an extremist background were recorded, while in 2006 there were 95 such crimes recorded (Bundesministerium des Innern, 2006, p. 43).

Even though the statistics show a reduction in the total incidence of politically-motivated crimes committed by foreigners, they show an increase in the incidence of violent crime, although it can be seen that no homicides (Tötungsdelikte) or attempted homicides (versuchte Tötungsdelikte) were recorded. In fact, most of the incidents recorded were bodily injuries (Körperverletzungen), 24 cases of which were reported in 2005 and 45 cases of which were reported in 2006, followed by extortion (Erpressung), 11 cases of which were reported both in 2005 and 2006. Arson (Brandstiftungen) increased significantly between the two years: three cases were recorded in 2005 while 16 cases were recorded in 2006.

Keeping in mind that the total number of politically-motivated crimes in 2005 and 2006 was 644 and 477, respectively, and the majority (554 and 310, respectively) of the crimes were ‘other criminal offences’ (Sonstige Straftaten), the question arises: What exactly were these offences? But these ‘other criminal offences’ are not further specified in the statistic.

The remarks that have been made so far concern the character and the sum of the crimes committed by foreigners. At this point, the number of suspected non-German criminals should be analysed with respect to the number of suspected German criminals. The relevant statistics are recorded by the Federal Criminal Police Office (Bundeskriminalamt, 2007). See the Police Criminal Statistics below (Bundeskriminalamt, 2007, p. 105):

Entwicklung der Tatverdächtigenanteile Nichtdeutscher seit 1984

Bereich: 1984-1990 alte Länder; 1991-1992 alte Länder mit Gesamt-Berlin; ab 1993 Bundesgebiet insgesamt

TGS

Jahr	Straftaten insgesamt			Straftaten insgesamt, jedoch ohne Straft. geg. Aufnahmest.G, AsylverfahrensG und FreizügigkeitsG/EU (ab 2005 Schl. 8900)		
	Tatverdächtige insgesamt (100%)	Nichtdeutsche absolut	in %	Tatverdächtige insgesamt (100%)	Nichtdeutsche absolut	in %
1984	1 254 213	207 612	16,6	1 209 756	165 705	13,7
1990	1 437 923	383 583	26,7	1 349 912	299 415	22,2
1991	2 051 775	689 920	33,6	1 849 520	492 919	26,7
1992	2 118 104	605 490	28,5	1 929 544	422 840	21,9
1996	2 213 293	625 585	28,3	2 019 186	440 904	21,8
1997	2 273 560	633 480	27,9	2 081 304	452 503	21,7
1998	2 319 895	628 477	27,1	2 122 307	441 694	20,8
1999	2 263 140	601 221	26,6	2 073 194	422 871	20,4
2000	2 286 372	589 109	25,8	2 106 900	421 517	20,0
2001	2 280 611	568 384	24,9	2 107 284	405 929	19,3
2002	2 326 149	566 918	24,4	2 165 629	415 526	19,2
2003	2 355 161	533 750	22,7	2 212 424	421 372	19,0
2004	2 384 268	546 985	22,9	2 267 920	438 775	19,3
2005 *)	2 313 136	519 573	22,5	2 238 550	448 544	20,0
2006	2 283 127	503 037	22,0	2 204 819	427 911	19,4

*) Bis 2004: Mangel beachtet, Aus erfassungstechnischen Gründen (siehe Tatverdächtigengestaltung, siehe Seite 19) führen in die Aufstellung „ohne Straftaten gegen Aufnahmest.G, AsylverfahrensG und FreizügigkeitsG/EU“ auch die Tatverdächtigen, denen neben Verstößen gegen das AusländerG und AsylverfahrensG gleichzeitig auch andere Delikte, wie z. B. Diebstahl, zur Last gelegt wurden. Daher sind/waren die Werte zu niedrig. Schlüssel 8900: Straftaten insgesamt, jedoch ohne Verstoße gegen das Aufnahmest., das Asylverfahrens- und das Freizügigkeitsgesetz/EU (Schlüssel 7250). Echte Tatverdächtigengestaltung ist hierbei berücksichtigt.

According to these statistics, only 22% of non-Germans (503,037) were suspected criminals in 2006, compared to 2,283,127 Germans. In light of this, the risk potential of foreigners does not seem as high.

As mentioned above, politically-motivated crimes committed by foreigners can be further distinguished between right-wing and left-wing ‘extremist’ crimes. The total sum of politically-motivated crimes committed by individuals with an extremist background (including all groups) was 18,501 in 2005 and 20,611 in 2006 (Bundesministerium des Innern, 2007, p. 31). In 2005, 15,361 of the offences were motivated by right-wing extremism, 2,305 were motivated by left-wing extremism, and 644 were committed by foreigners. In 2006, 17,596 of the offences were motivated by right-wing extremism, 2,369 were motivated by left-wing extremism, and 477 were committed by foreigners (Bundesministerium des Innern, 2007, p. 31).

Year	Sum total of politically-motivated “extremist crimes”	Right-wing extremist crimes	Left-wing extremist crimes	Politically-motivated crimes committed by foreigners
2005	18,501	15,361 (958 violent crimes)	2,305	644 (47 violent crimes)
2006	20,611	17,596 (1,047 violent crimes)	2,369	477 (95 violent crimes)

Of the 17,597 right-wing extremist offences committed in 2006, 1,047 were violent crimes (compared to 958 right-wing extremist violent crimes in 2005), 12,629 were illegal propaganda activities (compared to 10,905 right-wing extremist illegal propaganda activities in 2005), 919 resulted in bodily injuries (compared to 816 resulting in bodily injuries in 2005) and 391 involved property damages (compared to 445 involving property damages in 2005) (Bundesministerium des Innern, 2007, p. 32).

According to the statistics, the incidence of right-wing extremist offences committed by foreigners has increased. Yet, as alarming as this development may seem, it is in line with overall trends in Germany: ‘According to data collected by the European Union Agency for Fundamental Rights (FRA) figures for racist crime in 2005 and 2006 [were] up in a number of EU countries, Germany included. An increase in recorded racist crimes has been noted in 8 of the 11 EU Member States that have collected adequate data on racist violence and crime over a period of several years. Yet, differences and gaps in recording systems make it impossible to compare numbers between countries’ (FRA, 2007).

The method of calculation should also be kept in mind: “All figures given for the potential membership of the organisations and associations mentioned in the report refer to Germany and are in some cases estimated and rounded off” (Bundesministerium des Innern, 2007, p. 25). In sum, this means that the classification of an extremist offender is often based mainly on guesswork, which implies a great deal of uncertainty.

Anti-Terrorism Legislation

1. The European Perspective

The beginning of a common European anti-terrorism policy occurred in the early 1970s. At the time, a series of terrorist attacks in several European Union Member States had been considered a common threat, especially since there were hints that national organisations like the Spanish ETA (Euskadi Ta Askatasuna), the Irish IRA (Irish Republican Army) and the PLO (Palestine Liberation Organisation) had been in contact with each other for purposes of training and weapons proliferation (Messelken, 2003, p. 6). Because the fight against terrorism was directly affecting state sovereignty, including aspects of internal and external security, counter-terrorism began to take the form of cooperation between states, rather than supranational policy-making. For example, TREVI (Terrorism, Radicalism, Extremism and Violence) was a 1975/76 agreement between the different EC Ministries of Justice and Interior pledging informal and intergovernmental counter-terrorism cooperation. Some consider the TREVI-cooperation a forerunner of EUROPOL (Wagner, 2004).

More recently, European anti-terrorism policy has shifted to supranational measures. Below, three selected supranational counter-terrorism measures are analysed: the Schengen Information System (SIS), Eurodac and Dublinet.

SIS (EU, 2006):

The Schengen Information System was initially planned at the end of the 1980s; it has as its legal basis the Schengen Agreement (1985) and the Convention Implementing the Schengen Agreement (1993). Under the Amsterdam Treaty, the Schengen Acquis was incorporated into EU law in 1999 for implementation by the member states. The Schengen Acquis was based on the idea that if border controls were to be abolished, Europe should be a common investigative area so that drug smugglers, terrorists and organised criminals could not wander freely all over Europe.

SIS came into operation in 1995 and was the first supranational investigation system for law enforcement agencies. It was set up to allow police forces and consular agents from the Schengen countries to access data on specific individuals (i.e. criminals wanted for arrest or extradition, missing persons, third-country nationals to be refused entry, etc.) and on lost or stolen goods. SIS consists of a central office in Strasbourg which is linked to different national units. The national unit in Germany is the Federal Criminal Police Office (Federal Bureau of Criminal Investigation). The SIS is supplemented by a network known as Sirene (Supplementary information request at the national entry) Phase II, which allows communication between the law enforcement offices in every Schengen State. The Sirene offices are thus the intermediaries between the different national authorities responsible for the data on the SIS (judges, police, and immigration offices).

Those whose data may be collected include:

- persons wanted for arrest for extradition purposes;
- aliens for whom an alert has been issued for the purposes of refusing entry;
- missing persons or persons needing temporary police protection (minors, in particular);
- witnesses and persons summoned to appear before judicial authorities;
- persons under surveillance or being checked for the purpose of prosecuting criminal offences or the prevention of public threats (EU, 2006).

The SIS is often criticised because, in terms of locating wanted people, it has turned out to be an instrument of repressive migration and deportation policy. The reason for this criticism is that the majority (56%) of SIS hits are refugees and migrants who are often stopped and searched by the police only because of their outward appearance (Schulzki-Haddouti, 2002). There are also those who criticise the SIS for being an instrument to control the movement of political activists (www.no-racism.net).

Eurodac (EU, 2008):

In its own words, 'the Eurodac system is intended to make it possible to check the fingerprints of asylum seekers and illegal immigrants throughout Europe.' The system has been in operation in the European Union Member States within the framework of the Schengen Acquis since January 15, 2003. The legal basis for the system is Council Regulation (EC) No 2725/2000, which was passed December 15, 2000, and which applies in all the Member States (Official Journal of the European Communities L 316, 15.12.2000). The Eurodac Regulation builds upon the Dublin II Regulation (itself a part of the Schengen Acquis) in its aims for effective implementation.

According to the Eurodac regulation, Member States are promptly to take the fingerprints of every person aged 14 or older who applies for asylum or who is apprehended in connection with the unlawful crossing of the Community's external borders. The responsibility for this falls with the different national units (for example, the Federal Criminal Police Office in Germany), which obtain the data from the Federal Office of Migrants and Refugees or the Federal Police. The fingerprints are to be transmitted in digital form to the Central Unit (which is based at the European Commission

in Brussels), which has the technical equipment necessary to store and compare fingerprint data. Only the fingerprint data, a reference number (issued by the member state in which the application for asylum was made or in which the person was apprehended), and a few procedural data are transmitted. After the fingerprint data are checked at the Central Unit, the Central Unit notifies the Member State that submitted the enquiry only whether matching fingerprint data have been found in the central database. If a match is found, the Central Unit transmits to the Member State the additional information (reference number, etc.) for all matches. With this information, it is possible to determine whether the person in question has already applied for asylum in another member state. A final identification is then made by the Member State submitting the enquiry in cooperation with the Member States concerned, pursuant to Article 15 of the Dublin Convention.

The basic aim of Eurodac is the prevention of so-called ‘asylum shopping’ (e.g. when an asylum seeker applies for asylum in several member states). In addition, Eurodac also seeks to ensure that asylum seekers have the possibility to apply for asylum in at least one member state so that the situation of so-called ‘refugees in orbit’ can be avoided (e.g. refugees who are deported from one member state to another without asylum procedure). Because Eurodac is part of the Schengen System, it can be criticised for similar reasons as the Schengen System: it is a large administration register which may be easily misused by uncontrolled police and intelligence service actions.

Under Eurodac regulations, it is further possible to take the fingerprints not only of asylum seekers but also of refugees accepted under the terms of the Geneva Convention and of illegal migrants. The exchange of fingerprints is arranged via the Sirene-Network and supplemented by FADU (False and authenticated documents) which has the capability to store and exchange pictures (Mathiesen, 2000; Schulzki-Haddouti, 2001). In fact, Eurodac can be considered as a “European Central Register” which enables the registration and control of large population groups in Europe (Mathiesen, 2000).

DubliNet (European Commission, 2003):

DubliNet is a ‘secure electronic network of transmission channels between the national authorities dealing with asylum applications’ which became operational on September 1, 2003, in the EU Member States, plus Norway and Iceland. Legally, DubliNet is based on the Dublin II Regulation, which establishes the criteria and mechanisms by which it can be determined which member state is responsible for examining an asylum application lodged by a third country national. As mentioned before, the Dublin II Regulation is part of the Schengen Acquis, replacing the Dublin convention.

DubliNet was launched six months after the ‘Dublin II’ Regulation was adopted by the EU Council of Ministers on February 18, 2003. Under the Dublin II Regulation, the responsibility for examining an asylum application lies with the Member State which played the most important part in the applicant’s entry or residence in the European Union. The responsible Member State takes charge of the applicant throughout the asylum procedure and has the obligation to take back an applicant who is in another Member State illegally.

When a Member State requests that an asylum applicant be taken back by another Member State, its request must contain information which enables the requested Member State to check that it is responsible. The Member State called upon to take charge of the applicant is obliged to make the necessary checks and reply to the requested address as quickly as possible—and under no circumstances exceeding a period of two month from the referral. When a Member State is requested to take back an applicant for whom it is responsible, a reply must be given within one month. When the request is based on data obtained from the Eurodac system, this time limit is reduced to two weeks (European Commission, 2003).

DubliNet uses services offered by the IDA (Interchange of data between administrations) programme to guarantee a high level of security to asylum seeker data. DubliNet ensures that the information exchanged by Member States is standardised through the use of electronically-signed forms; in addition, it establishes a reliable authentication and identification infrastructure over an encrypted network and obliges Member States to ensure continuity of service.

DubliNet has simplified data procedures for the benefit of national administrations by identifying one single national access point for each Member State (plus Norway and Iceland). The most important feature, however, is that DubliNet is also consistent with Eurodac and can be considered another part of the electronic network based on the Dublin II Regulation. Both DubliNet and Eurodac were created by the European Commission in close cooperation with the Member States.

In sum, all of the different measures that have been taken at the supranational European level are linked. A complete, unfettered data exchange program between all member states has not been explicitly forecast, but it is possible, and future developments may aim at it. All further developments concerning the linkage and enlargement of these databases have one thing in common: their purpose is to ‘combat against the threat of transnational terrorism.’ Even though it has been proven that the number of asylum applicants in Europe will be decreasing in the future, the measures to control, detect and deport non-EU nationals have still been tightened, helping to build a strong ‘fortress Europe.’

2. Germany

In addition to the EU measures aimed at facilitating the central collection of data, the German government has addressed many of the same issues at the national level. Three weeks after the failed terrorist attacks with suitcase bombs in July 2006, the federal and state Interior Ministers agreed to create an anti-terrorism database in the hopes of helping security officials catch potential terrorists before they would be able to carry out an attack (Bundesregierung, 2006). This database has its legal basis in the Anti-Terror Data Act (ATDA), which itself is part of the Common Data Act (CDA) and which became effective in December 2006. The anti-terror database is located at the Federal Criminal Police Office, which is also the national unit for Eurodac, SIS and DubliNet, §1 ATDA.

In addition to what is included in the Anti-Terror Data Act, the Common Data Act includes the relatively-unknown amendments made to the Federal Office for the Protection of the Constitution Act (Bundesverfassungsschutzgesetz, BVerfSchG), the Federal Intelligence Service Act (BND-Gesetz, BNDG) and the Federal Criminal Police Office Act (Bundeskriminalamtgesetz, BKAG), art. 2, 3, 4 CDA. These amendments call for the establishment of further databases, including a Federal Intelligence Service database and a Federal Criminal Police Office database, to supplement the main anti-terror database. These additional databases are different from the Anti-Terror Database because they refer only to so-called ‘project-oriented common data,’ §22a BVerfSchG, §9a BNDG and §9a BKAG.

But leaving aside these amendments, what kind of data does the Anti-Terror Data Act itself collect? The data must either refer to persons who are members of a terrorist organisation as mentioned in §129a of the German Criminal Code, §2 Nr. 1 lit. a) ATDA or to persons who, motivated by politics or religion, act unlawfully and violently to pursue international aims, §2 Nr. 2 ATDA. In addition, data is collected about contact persons, organisations, groups and firms with concrete links to international terrorism, §2 Nr. 3 ATDA.

The kinds of data collected are divided into ‘Grunddaten’ (basic data) and ‘erweiterte Grunddaten’ (enhanced basic data), §3 I Nr. 1. lit. a) and b) ATDA. Basic data include family name, alias, gender,

birth date, nationality, and language/dialect. Enhanced basic data include records from owned or used telephone lines, e-mail addresses, ethnicity, religion and expertise. Regarding the last two data items, the preamble of the Anti-Terror Data Act states that religion includes one's persuasion whereas expertise includes information about education, profession and risk potential (i.e. martial arts training) (Bundesministerium des Innern, 2006, p. 17).

But, what are the implications of this data collection? Is it really the case that the only data collected is that of members of terrorist organisations and that of contact persons of terrorist organisations? While this legislation may seem upon first glance to only affect terrorists, if one looks again at the preamble (Bundesministerium des Innern, 2006, p. 16), one finds that, concerning telephone records, even data from people with no relations to the above-mentioned persons can be collected. Why? Because, according to the preamble itself, terrorists often use the telephone lines of uninvolved people in order to ensure safer communication. In the end, this means that nearly anyone's telephone records could be collected and stored in the name of 'fighting international terrorism.' Furthermore, concerning the collection of data about religion, it should be pointed out that most of the refugees and asylum seekers living in Germany are Muslim and consequently most of them are automatically recorded in the database.

In sum, the Anti-Terror Data Act is not only an intrusion into the private lives of refugees and asylum seekers; it is an intrusion into the private lives of nearly everyone. And we should not forget the central position of the Federal Criminal Police Office, which is responsible for the anti-terror database: because this office is also the national liaison to the European databases, it is easy for it to exchange all the data it has collected with the different national units and main database, perpetuating the injustice.

Conclusion

This paper has sought to show that:

1. Terrorism does exist, but the fear of terrorism is much worse than the risk potential of an actual terrorist attack,
2. According to statistics, foreigners are not more likely to be violent or terrorists,
3. Racists and right-wing extremists pose much more of a threat to Europe than do Muslim terrorists, since the former's numbers are increasing across Europe,
4. On one hand, the number of refugees and asylum seekers is decreasing in Europe.
5. On the other hand, the legal measures employed in the fight against terrorism are tightening the boundaries of 'fortress Europe,'
6. The legal measures employed in the fight against terrorism do, in fact, 'veil' liberty (as Montesquieu said) in order to give the illusion of security while allowing governments to gain control over their citizens.

As the UNHCR stated, 'refugees are no terrorists.' It should always be remembered that refugees are human beings who are often in a weak position, and that the purpose of the law is to protect those who need protection (i.e. refugees). Even in the fight against terrorism, human rights standards should never be neglected or constrained.

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Forced Migrants, Containment and Human Rights

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Introduction

The current discourse around national and global security has effectively reconstructed notions of forced migrants and the commitment of states to protect their rights. Many of the injustices encountered by forced migrants suggest that there is an institutional denial of their basic human rights. Increasingly restrictive refugee policies in Europe, as part of the ‘war’ against ‘terrorism’ and ‘political Islam,’ have made it harder for displaced individuals to seek asylum. This indicates that states have largely regressed in their commitment to protect refugees and their rights. A shift in the refugee policy discourse from ‘burden sharing,’ to ‘threats to the security of states,’ to one of containment and the ‘non entree regime,’ reflects this change in attitude. There have been similar moves to exclude forced migrants from accessing the full range of welfare rights granted to citizens, which also reflect the crisis of modern citizenship.

Drawing upon empirical evidence from the United Kingdom, this paper shows how the welfare rights of forced migrants have been systematically reduced over the past 10 years. The paper considers how networks of public, private voluntary, or charitable providers are now charged with meeting the basic needs of forced migrants and provide a classic example of the complex patterns of devolved governance that characterise the dispersed state. However, the language of rights reminds us that migrants and displaced people and groups should be able to articulate strong claims for their space, thereby giving the rights agenda considerable mobilising power. The critical questions of how the rights and entitlements of forced migrants can be delivered, including the degree of individual agency, and who should be obliged to protect them, in the current climate of mistrust have been engineered through the media and government policies. The paper considers whether a policy paradigm based on social protection offers a framework that would minimise the loss of rights that normally accompanies displacement. The challenges of a social protection framework in the context of global politics and related international policy discourses, such as market-led development and economic globalisation that weaken the state structures on which rights protection depends, are raised and discussed.

What is Forced Migration?

Forced migration in this paper refers to refugees¹ and asylum² seekers. There are some common themes that are responsible for displacement, including wars, local conflict, strong states, weak civil society, the intervention of global actors (such as the US vis a vis oil supplies, for example, or the ‘war on terrorism’ and ‘Political Islam’), and large-scale development projects which are implemented by international development institutions to promote the economies of developing countries.

The tapestry of uprooting or forced displacement is a complex one. In almost all cases people lose not only their homes, but also their livelihoods and networks that cannot be reproduced when they are forced to move to different locales and environments. There is a general consensus that irrespective of the primary cause or the regional setting, displacement results in considerable disruption. Typical adverse effects of forced displacement across both international boundaries or within national borders include the loss of livelihood, employment, land rights, housing, and social networks. In addition, some of the more vulnerable –women, children, and the elderly– suffer disproportionately from these adverse effects. Empirical evidence illustrates that displaced people face additional challenges in a new environment and feel daily uncertainty about their survival. In a worst case

1 A refugee is defined as a person in fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, who is outside his/her country of nationality and has sufficient evidence of prosecution in their own country to justify seeking protection across an international border (UN Convention, 1951). An individual who has applied to be considered for refugee status is an asylum seeker. IDPs are forced to move within the confines of national boundaries, for a range of reasons including conflict or as a result of development interventions, such as large dam projects. There are commonalities between the two (refugees and IDPs) that are not necessarily reflected in the policy domain.

2 Asylum is “Protection granted by a State on its territory against the exercise of jurisdiction by the State of origin, based on the principle of non-refoulement and characterised by the enjoyment of internationally recognised refugee rights, and generally accorded without limit of time” (UNHCR, 2003).

scenario, these experiences of refugees and other forced migrants transfer some of the inequalities of poverty into new spatial locations, thereby negatively affecting their host country.

The unanswered question remains: how can the rights of forced migrants be protected and who should be obliged to protect them? The concept of protection for forced migrants is highly contentious and is much discussed within the policy discourse. Current policy frameworks fail to protect the rights of forced migrants because they largely view migrants as ‘problems, victims and recipients of charity’ (Mehta, 2003, p. 3). A policy framework for the protection of displaced persons cannot be about charity or alms, but has to be about securing rights and entitlements.

Human Rights and Forced Migrants?

There is a direct interface between the concepts of rights and social protection, the salient point being Article 25.1 of the Universal Declaration of Human Rights which states that “everyone has the right to a standard of living adequate for the health and well being of himself and his family, including food, clothing, housing and medical and necessary social services, and the rights to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control” (UN, 1986, p. 9). These values form the basic principle of rights, which is to say the idea that human beings are fundamentally equal.

Rights tend to be articulated in four different ways and each is relevant in the context of forced migration protection. Rights are articulated through 1) fundamental global principles, 2) legislative routes, 3) the state-society relationship and 4) the agitation or protest route.

Fundamental Global Principles: The first route to articulate rights, which Economist Amartya Sen (2004) refers to as the recognition route (p. 10), is through global obligations and inducements to secure rights, framed by the UN Universal Declaration of Human Rights of 1948. This establishes fundamental human rights for refugees (in Article 14) and suggests an ethical dimension to rights rather than a purely legislative institutionalisation.

Legislative Routes: The second route to articulate rights is through the legislation and the application of human rights laws that give legal force to certain basic human rights as detailed in the UN declarations. These have either been enacted by individual states or through associations such as the Convention on the Status of Refugees (1951) and its 1967 protocol that defined refugee rights and the legal obligation to protect them. The principle of non-refoulement has made such conventions a fundamental part of international law.³ The International Criminal Court should be mentioned here because it represents the trend to eliminate the principle of the absolute subjection of individuals to the state, and instead, to develop the status of individuals under international law. Effectively, individuals are now the bearers of certain rights under international law, which also means that they can be held responsible for crimes under international law. Other institutions, such as The European Court of Human Rights established by the 1950 European Convention, consider individual cases involving the violation of human rights within signatory states.

In the context of refugee displacement and resettlement, legislative frameworks (international laws, human rights laws, legislations, conventions and treaties) embrace protection for refugees. The UN Protocol Relating to the Status of Refugees sets the protection with the framework of the Universal Declaration of Human Rights (1948). Under international protection regimes and international law, states are obligated to protect non-citizens and those residing within their national borders, including

3 The convention does not give refugees the right of asylum that remains a national prerogative. Asylum is “Protection granted by a state on its territory against the exercise of jurisdiction by the State of origin, based on the principle of non-refoulement and characterised by the enjoyment of internationally recognised refugee rights, and generally accorded without limit of time” (UNHCR, 2003). Tensions persist between the limits of national sovereignty and the ‘right’ of ‘international intervention’ to uphold humanitarian law and human rights in cases where refugee ‘rights’ are infringed. But national sovereignty remains the predominant paradigm in which human rights regime operates (Muggah, 2003).

refugees.⁴ In the context of the duality of the state and the individual, a refugee is perceived to be an ‘unprotected alien,’ who neither has the diplomatic protection accorded by states to nationals when abroad, nor the benefit of internal protection in their country of origin (Fortin, 2001). This lack of protection has driven the need to establish a substitute system of protection, based on the manner in which a refugee is defined. The United Nations Commission for Refugees (UNHCR) has an obligation to give refugees ‘international protection,’ a concept used to denote protection that is directly accorded to individuals and groups by international agencies based on international conventions and international laws of human rights. This is the crux of the distinction between refugees and Internally Displaced Persons, who do not benefit from international protection because their status, even if they flee their homes for the same reasons as refugees, is defined and protected by the legal frameworks of their own nation. The UNHCR is responsible for overseeing the implementation of the UN Convention of 1951 and the 1967 Protocol Relating to the Status of Refugees, which set the protection of refugees within the framework of the Universal Declaration of Human Rights (1948) and specifies the responsibilities of states. In seeking durable solutions to refugee situations, the UNHCR encourages programmes that promote a) voluntary repatriation as a long-term solution, b) integration into a host society, or c) third country resettlement when the former are unattainable. In the interim, refugees are the recipients of relief programmes (‘care and maintenance’ programmes), which provide basic needs, such as shelter, food, and most commonly, a home in a refugee camp.

The international framework of protection through treaties, conventions, and institutions has made a contribution to human rights advancement in the classic manner. Nevertheless, states retain responsibility for their own policy formation and implementation. In spite of comparatively robust international principles, norms and rules, sovereign states exert considerable discretion in how they are interpreted and executed. The UNHCR, for example, has played a major role in promoting information sharing and the strengthening of international and domestic norms, and monitoring implementation – but its capacity to enforce compliance is intentionally limited. We therefore cannot ignore the third context within which rights are articulated, the relationship between the sovereign state and the individual.

The Relationship between State and Society: The welfare rights and protection of forced migrants remain within the jurisdiction and political power of the nation state, which is the most important actor in the provision of rights. The state is referred to as the ‘primary agent of justice’ in Human Rights Declaration 1948 and Article 3.1 of the Declaration of Right to Development (1986): ‘States have the primary responsibility for the creation of national and international conditions favourable to the realisation of the right to development’ (UN, 1986). The Convention and Declaration has come under considerable criticism recently, with states arguing that it is outdated, unworkable and inflexible, and neither addresses their interests or the actual needs of refugees (UNHCR, 2006). Economic globalisation and global market forces have not only undermined state power and function, but has also diminished the capacity of states to provide services essential to support the poor and most vulnerable. Given the interdependency of states and regions, it has become increasingly questionable whether the state is, or can be, the sole agent of justice and development with the responsibility to protect the rights of the individual, including the poorest and most vulnerable. This is evidenced by an increasing trend for the protection of refugees and the resettlement of displaced people being devolved to a variety of non-state actors such as NGO’s, the private sector, and global institutions governance in particular where states are weak, unjust or unwilling to act (Kuper, 2005). Social justice scholars, such as O’Neill and Pogge, have recently argued for the need to reconsider the state as the only agent responsible to bear rights. He claims that in today’s globalised world, several different agents, institutions, and agencies assist in delivering and protecting human rights (O’Neill, 2001; Pogge, 2002). What merits further discussion is the nature of partnerships the state has with other agents such as NGOs, global institutions and the private sector, and the need to clearly define roles and responsibilities.

4 Article 17(1) of the UN Refugee Convention states: “The Contracting States shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country in the same circumstances, as regards the right to engage in gainful employment.” Moreover states giving asylum have a duty to provide refugees with “the same treatment as is accorded to their nationals” Articles 18 and 19 (1).

The Agitation or Protest Route: The fourth route to articulate rights is through the advocacy or agitation route, which requires the active involvement of individuals, groups, and civil society organisations to call for the protection of the rights of migrants. Over the past three decades, an increasing number and diversity of transnational organisations, including local and international NGOs, have framed protests over rights. Transnational networks that focus on human rights typify much of the growing opposition to displacement, representing new sources of agency in the form of activists that struggle for social and economic rights that are inclusive. The protest movement is typically a weapon of the weak and marginal who are excluded from mainstream civil society, but who seek to challenge, change or influence public policies and international protection regimes promoted by the existing social and political structure. Protest movements in the name of social justice have occurred in a range of different settings, for example, after a racist attack in the cities of UK, and against poor environmental and social conditions in a detention centre near Brussels where refugees were kept inside for 22 hours a day and only allowed out to walk in a supervised courtyard fenced in by barbed wired. Similarly, hunger strikes at four Australian detention centres and by Afghan refugees demanding asylum in Ireland have drawn attention to rights abuses. Forced migrants have similarly demonstrated this phenomenon in their protest and demand for entitlements and rights for social protection.

The effectiveness of the four routes through which rights are articulated depends on the context within which they operate. The global principles and main legislative routes for rights are based on the principle of universal application of the UN declarations. However, these routes can never be viewed in isolation of political, economic and socio-cultural context. Two significant forces are currently impacting support for and delivery of, protection and rights for forced migrants, thereby raising the validity of the notion of obligation and responsibility for the protection of rights. Firstly, current concerns around national and global security add a further dimension to the debate, having effectively reconstructed the notion of protection for forced migrants as a temporary and containing measure. Secondly, in the current international climate, processes of economic globalisation have an increased impact on state power and function. This influence is reinforced by the notion of market-led development and its instruments which have reduced the capacity of states to deliver rights and social protection for even its own citizens. Where the exercise of power is undermined, the state may no longer occupy the privileged position necessary to fulfil the role of protector of rights. These two forces are encouraging increasingly regressive protection policies in the case of the developed world, whereas in developing countries they are undermining the capacity of states to fully engage in rights protection.

Policy Regression and the Impact on Asylum Trends

Effectively, apprehension about state security and the costs of asylum and ‘uncontrolled’ migration has led to a reshaping of asylum policies in many countries (UNHCR, 2006). Post-September 11, support measures that offer temporary protection rather than integration into the host society have been actively promoted in a political climate of ‘containment’ and increasingly restrictive protection.⁵ An evident shift has been the active promotion of short-term support measures and increasingly restrictive refugee protection, as testified by the proliferation of camps and detention centres across the world. The reconstruction of refugee protection policy in the North reflects the ‘crisis of asylum,’ or rather concerns, over the economic burden of refugees and national security. In Castle’s (2003) view, the reconstruction illustrates that “forced migration is not the result of a string of unconnected emergencies, but rather an – integral part of North-South relationships” (p. 23). He presents a well-articulated case for considering displacement as ‘a pivotal aspect of global social relations, linked to an emerging new political economy in the context of US political and military domination, economic

5 Increasingly restrictive refugee policies in Europe and North America include ‘encampment’ under in-country protection programmes, restrictions on access to key services and resources, such as work, and tighter visa and permit restrictions. In some cases, a new paradigm emerged aimed at preventing refugee flows before international borders are crossed, through policies such as ‘safe country’ lists, ‘transit processing centres’, ‘safety zones’, ‘open relief centres’, ‘safe heaven zones’. Britain’s proposed ‘Regional Protection programme’ provides us with a recent example.

globalisation, North-South inequality and trans-nationalism' (Castle, 2003). Most forced migration, whether economic, conflict, or development-induced, both reflects and is a cause of processes of social transformation, many of which result in increases in social and economic inequity either between or within the North and the South.

Chimni (2002) attributes the regression in protection legislation to the 'ideology of humanitarianism' associated with the 'hegemonic states' of the Northern countries that use the vocabulary of human rights to legitimise security concerns. The cosmic military power of the US is justified by the fact that it is deemed to represent global law in the fight against 'global terror' in order to bring about peaceful global change through humanitarian intervention. Beck (2006) calls the threat to change the world order through force 'military enlightenment' – which conveniently disregards cosmopolitan laws and human rights to bring about regime change while maintaining its own hegemony. The 'imperialism of human rights' that requires cross-border armed intervention in order to establish human rights has therefore become legitimised and even necessary for the advocates of growing global violence and disorder (Hobsbawm, 2005). This imperial grand strategy basically "dismisses international law and institutions as of 'little value,' promoting military action in its place" (Chomsky, 2003, p. 11). The result has been the displacement of more than 2 million Iraqis who have sought asylum in countries within the Middle East, as Europe has introduced a number of measures to prevent the flow of forced migrants.

Subsequently, new anticipatory measures have been introduced in Europe through a series of legislative changes. In 2001, the EU Commission prepared a document that raised the issue of 'the relationship between safeguarding internal security and complying with international protection obligations and instruments' (Commission of the European Communities, 2001, p. 6). The Commission proposed a new anti-terrorism act and legislation, both of which, in one way or another have had an impact on the trend and profile of asylum seekers. This new legislation contains a clear set of criteria for qualification either for refugee or subsidiary protection status, and also establishes the rights associated with each. The way in which security concerns have been incorporated into the EU qualification directive was hotly debated during the negotiation period. The main focus of the discussion was whether or not security concerns should become a ground for exclusion from the provisions of the Refugee Convention or an exception to the principle of non-refoulement. In 2006, security concerns were reflected in EU documentation as part of a revocation clause (Article 14) and as an exception to the principle of non-refoulement (Article 19) (Ward, 2006, p. 87). The inclusion of security concerns in an article on revocation, Ward suggests, may in fact result in the widening of the exclusion clauses in the 1951 Refugee Convention. The inclusion of these concerns takes place despite the fact that the UN Refugee Convention makes no reference to terrorism and does not generate criteria for excluding individuals from protection other than if they have committed a crime against humanity or a war crime.

In the context of the UK, the debate has boiled down to the definition of terrorism and whether it is appropriate to associate asylum with security and terrorism. The idea of doing so was first introduced in a number of new legislative measures, including the 2000 Terrorism Act and the 2001 Anti-Terrorism, Crime and Security Act, which were followed by further channels and were refined in the Prevention of Terrorism Act 2005 and the Terrorism Act 2006. The new definition of terrorism has been modified to reflect the current trends and challenges of global terrorism. In the 1973 Prevention of Terrorism Act, terrorism was defined to encompass violence associated with political motivation, to cover those organisations that had Marxist or nationalist tendencies, such as the IRA. However at the dawn of the 21st century, this definition has been broadened to consider the violent threat of action made against the state and society 'for the purpose of advancing a political, religious or ideological cause' (Home Office, 2006). Forty-six organisations are considered to be terrorist

organisations and are now banned under UK legislation as being illegal. Thirty-three of the forty-six are fundamentalist Islamic organisations.

The implication of these acts was subsequently reflected under Section 97 of the Nationality, Immigration and Asylum Act 2002. This act provides the opportunity to exclude individuals from protection if he or she has been identified as having any association with terrorism. Such individuals are also denied the right to normal procedures of appeal in the interest of national security. Furthermore, the Act gives power to the immigration authorities to detain non-UK nationals suspected of international terrorism even if they have not been charged with any offence, despite protection under Article 3 of the ECHR, and the length of detention is still subject to fierce debate. In August 2005, the then Prime Minister Tony Blair stated that “anyone who has participated in terrorism, or has anything to do with it anywhere, will be automatically refused asylum in the UK. Section 55 of the Immigration, Asylum and National Act 2006 allows the Secretary of State to issue a certificate that an appellant is not entitled to the protection of Article 33 (1) of the Refugee Convention because Article 1F applies or Article 33 (2) applies on national security grounds” (Ibid, p. 29). Critics have argued that this act undermines the 1951 Refugee Convention and the International Protection regime as such terminology in respect of terrorism and exclusion from protection if considered to be a ‘terrorist threat’ does not exist in the convention. Moreover there are concerns that individuals have genuinely fled persecution because their beliefs may have been wrongly accused of being associated with terrorist organisations.

The shift in the refugee discourse from ‘burden sharing’ to a ‘threat to the security of states,’ has had the desired effect of reducing the number of refugees in the EU. Recent statistics indicate that since September 11, 2001, asylum applications have dropped by 40%. The number of refugees globally has declined from 18 million in 1992 to 9.2 million in 2003. “By the end of 2006, the total population of concern to UNHCR was estimated at 32.9 million persons, including 9.9 million refugees, 744,000 asylum-seekers; 734,000 refugees who had repatriated during 2006; 12.8 million internally displaced persons (IDPs) protected/assisted by UNHCR; 1.9 million IDPs who had returned to their place of origin in 2006; some 5.8 million stateless persons; and some 1 million Others of concern. In 2006, the population of concern to UNHCR increased in five out of the six regions of the world. The increase was highest in Africa (+89%), followed by Asia (+68%), North America (+59%), Latin America and the Caribbean (+41%), and Oceania (+4%). Europe (-7%) was the only continent recording a decrease in the population of concern” (UNHRC, 2006).

The Inherent Tensions between Neo-Liberalism and Social Protection

Empirical evidence from the UK suggests that the welfare rights of forced migrants have been systematically reduced to the extent that the whole idea of social protection and social right is increasingly giving way to the idea of conditional entitlement (Dwyer, 2004). Moves to exclude forced migrants from access to the full range of welfare rights granted to citizens reflect the crisis of modern citizenship. Social protection at the national level is the social contract through which the state provides goods and services to the individuals to meet basic rights entitlements such as free education for children, health services, and social insurance. In this capacity, it reflects the role of the state as the deliverer and enforcer of access to rights. There are many conceptions and definitions of social protection, reflecting that its precise meaning remains contested, as is the case with many social science concepts.⁶ In this paper, I take a transformative rights-based approach to social protection that extends its understanding to cover the delivery of social, economic and cultural rights. In this view, social protection refers to public intervention that provides income and consumption transfers and employment opportunities for the poor (in this case to refugees who

6 The World Bank has been promoting the idea of social protection as a framework for social risk management. In this sense, it is a paradigm for “post-crisis safety nets” and humanitarian policy interventions that assist individuals, households and communities to manage risk better and a spring-board for the critically poor and most vulnerable (World Bank, 2001, p. 9). Others believe that social protection is the umbrella for public action taken in response to levels of vulnerability, risk and deprivation which are deemed socially unacceptable within a given polity or society (Conway et al., 2000).

often have lost all of their possessions and assets due to socio-economic impoverishment), as well as enhances social statuses and access to rights.

For a refugee, 'protection is granted by a State on its territory against the exercise of jurisdiction by the State of origin, based on the principle of non-refoulement and characterised by the enjoyment of internationally recognised refugee rights, and generally accorded without limit of time' (UNHRC, 2003). However, in relation to refugees, the UNHCR's Executive Committee considers that the absence of a threat of refoulement on its own is not sufficient to measure the effectiveness of protection. This supports the view that effective protection involves access to rights such as the right of residence, the right to work, physical protection and personal security, as well as some form of guarantee against the return to a country of persecution. The rights set out in the 1951 Convention and the 1967 Protocol, as well as other international human rights regimes, therefore, should inform protection. Herein lays a tension. The UN Human Rights Declaration frameworks promote the presumption that human rights are universal and apply to all, although realisation can depend on range of different factors. For example in many countries, women have lesser rights than men in both statutory and customary law, for example in relation to land ownership or inheritance. Rights can also be linked to citizenship or residential status (such as the right to vote or political participation). Social protection also tends to be framed in relation to citizenship or residential status, which means that it tends to not fully extend to vulnerable groups such as refugees and asylum seekers, except as part of a short-term response to risk management rather than an enduring solution to their vulnerability. However, to be part of mainstream society involves participation in social, economic, political, civic and cultural spheres (Lister, 2004, p. 165). Being a refugee effectively inhibits such participation and often leads to secondary status.

This is certainly the case for the 4 million people who are living in refugee camps in Africa alone. The UNHCR estimates that the average duration of refugee situations increased from nine years in 1993 to 17 years in 2003 (UNHCR, 2005). Many refugee camps, originally planned to exist for a five year term, have remained operational for over 20 years. There are around 6.3 million protracted refugees globally – refugees who have been refugees for more than five years, of whom about 530,000 are in Europe. Protracted refugees experience a long-lasting and intractable state of limbo, as they live in a state of constant uncertainty. Although protracted refugees might not be directly at risk during their years in exile, they are more likely to suffer from poverty, a lack of basic rights, and unfulfilled economic, social, and psychological needs. Such situations often reflect a political impasse (Arafat, 2003). Several studies have documented evidence of the chronic poverty experienced by refugees and IDPs in camps in developing countries, highlighting their failure to protect forced migrants (Van Damme, 1995; Black, 1998; Bakewell, 2002; Arafat, 2003).

Current protection frameworks fail to protect the rights of the forced migrants because they largely view such individuals as 'problems, victims and recipients of charity' (Mehta, 2003, p. 3) that require short-term responses, instead of as individuals with equal rights and entitlements. Social protection instruments that are provided (e.g. targeted cash transfers or social funds) tend to be based on charitable need, rather than social justice and equal rights and entitlements. Social protection can work to protect the forced migrants where states provide the necessary grounds to take public action in response to not only levels of vulnerability and risk, but also long-term deprivation even when this is deemed socially unacceptable within a given polity or society (Conway, de Haan & Norton, 2000). This includes supporting the refugees to conserve and accumulate assets and to transform their socio-economic relationships so that they are not constrained from seizing opportunities by bonding or clientelism. However, the implementation of social protection and the recognition of the infringement of refugee rights are areas where we find the long-held tensions that are manifested and persist between the limits of national sovereignty and the 'right' of 'international intervention' to uphold humanitarian law and human rights.

A key issue is how the capacity of refugees to reconstruct their livelihoods is supported. Forced migrants are not passive agents, but individuals who proactively aspire to transform their lives and to be productive based on their own agency. Sen uses the concept of agency to express the degree of free will that is exercised by the individual in their social action. In other words, “as someone who acts and bring[s] about change, and whose achievements can be judged in terms of her own values and objectives, whether or not we assess them in terms of some external criteria as well” (Sen, 1999, p. 19). The refugee’s agency, however, is constrained by a lack of material resources, political power, and structural constraints such as poverty. More fundamentally, the legal and policy framework that applies to refugees tends to create barriers to ‘self-reliance’ through the restrictions they impose, such as controlled movement, the lack of the right to work, the lack of citizenship, and the lack of income generating assets such as land. Recent empirical studies from the different locales suggest that the plight of forced migrants reflects some of the broader political questions facing these countries, as phrased in human rights terms. For example, citizenship rights are often denied to refugees, limiting their agency to articulate their rights. The problem with the current policy paradigm, in relation to forced migration, is that migrants tend to be regarded as essentially passive, unresponsive, and unable to exercise generative power to control their own lives due to their subordinate position in wider hierarchical political, economic, and social power relationships (Kabeer, 2000). In general, host communities are resistant to the full integration of displaced individuals for a range of social, political and economic reasons (Fredetts, 1994). This is typified by extensive systems of social protection in Northern European countries that are time-limited to refugee-specific policies and programmes (European Council on Refugees and Exiles, 2004).

Social protection is considered to have the potential to be an enduring interventionist policy to address poverty and secure rights as debated and documented in a recent study on protection (Conway, de Haan & Norton, 2002; Devereux, 2004; Hall & Midgley, 2004; Barrientos, Hulme & Shepherd, 2005). Social protection offers the possibility of transformation access of social and economic rights and income or consumption transfer to poor and vulnerable people such as refugees and asylum seekers. It is perhaps for these reason that opponents of social protection argue that state intervention is nothing but ‘an invasion of freedom’ (Hayek, 1976, p. 97). One of the strongest opposing arguments to social protection for forced migrants is that as a form of income distribution, social protection redistributes wealth and opportunities (jobs, housing, benefits) from the active working population to those who are unemployed, poor, or are refugees. Thus social protection has financial implications, as it requires the provision of access to public welfare, including living allowances, housing, schools for children, and so forth, all of which are costly. Many of the arguments articulated against social protection for refugees are funding related, in that the state can only provide such services if government taxes on personal income and wealth are sufficiently high. In a sense, this tax, like all others, can be perceived as an infringement of people’s rights to keep what they earn.

While Europe, on one level, has attempted to promote welfarism to protect forced migrants ‘against the risks of inadequate incomes associated with employment, ill health and invalidity, parental responsibilities, old age..... and guaranteeing access to services that are essential for a life in dignity’ (European Council on Refugees and Exiles, 2004), it has also made stringent efforts to keep forced migrants out of EU states, combined with attempts to reduce the welfare entitlements of those who enter to seek asylum. Such legislative changes have consolidated the link between immigration/residency status and welfare entitlement (Bloch and Schuster, 2002; Cohen, 2002). The EU’s Hague Programme, which was adopted by Heads of State/Government in 2004, was initially set up to develop a Common European Asylum System, although for some it summarises Europe’s fight against terrorism. The Hague Programme took up the challenge of developing a Common European Asylum System, including common asylum procedures and uniform status for those granted asylum or subsidiary protection, based on a thorough and complete evaluation of the legal instruments

adopted in the first phase. The objective was for operational cooperation between member states to improve the efficiency and quality of the asylum system, with a common response to pressures within the system, and with a view to a second framework of instruments being adopted by 2010. It essentially consisted of a stratified system of entitlement, which gave migrants with refugee status the same welfare rights as full citizens. The most significant problem is for those in a state of transition, or protracted refugees (who have applied for refugee status but are waiting to hear the outcome of their application), who have to live on basic needs benefits even though some are skilled and could contribute economically to their host society.

In the United Kingdom the welfare rights of forced migrants, in particular those seeking asylum, have been systematically reduced by new legislations in the past eleven years to the extent that the government 'intends to simplify asylum legislation by consolidating the numerous Acts passed since 1993.' All persons seeking asylum were subject to a distinct system of welfare provision under the management of the National Asylum Support System (NASS) that was responsible for the coordination and funding of accommodation and financial support for asylum seekers while their applications were being considered. However, in 2006, the Home Office was restructured, and the Border and Immigration Agency (BIA) replaced NASS. At present all asylum support issues are dealt with and processed by NAM caseworkers or by the BIA Asylum Support Unit. A new Asylum Model (MAM) was introduced with the objective of a faster and a more efficient way of managing asylum processes, to facilitate the quicker removal of non-qualifiers, and introduce a more rapid integration process for those granted the right to stay in the UK.

The outcome is that many asylum seekers are placed in detention centres or in social housing, without the right to work or be productive. A report by the Independent Asylum Commission (2008) maintains that "the detention of asylum seekers is overused, oppressive and an unnecessary burden on the taxpayer, and that the detention of children is wholly unjustified" (p. 2). The report is critical of 'the overuse of detention, the scale of the destitution and the severity of removal,' and recommended that these concerns be addressed. The way in which asylum seekers are treated in the UK is considered to be 'seriously below the standards to be expected of a humane and civilised society.' The commission even went so far as to conclude that the UK's asylum system is 'marred by inhumanity.' Asylum seekers have no right to work while they are waiting for their case to be processed, thereby leading to the unemployment of many asylum seekers and their subsequent dependence on Home Office support. In some cases they can apply for Section 4 or 'hard case' support, but others have to go through a needs assessment to provide sufficient evidence that they are destitute. Since 2002, asylum seekers have lost their right to work, and, as they wait for their applications to be processed, are living on basic needs benefits even though some are skilled and could contribute economically to their host society.

Several narratives of asylum seeker destitution have been highlighted in various recent reports. In an empirical study of Leeds, for example, Dwyer (2005) provides evidence of destitution among both successful and denied seekers of asylum. In an informal interview conducted in Bradford, a 36 year-old asylum seeker from Iran, who has been living in a one-bedroom flat with his wife and two children at the heart of the Asian community, described the following situation:

I receive £113 every two weeks for subsistence (that is for one person but we have somehow to get on with life). Eight months ago we applied for a change in our status, but so far nothing. We live in a one-bedroom flat because apparently we have no right to a family house. In order to avoid living in a hostel, I decided to live in a one-bedroom flat. When I first came here and my family joined me we had no alternative but to carry on living there. My wife and children do not have the right to support or work, because I came as an asylum seeker first and I had

no right to bring my family to this country. My solicitor argued on human rights grounds that my family should be allowed to join me. It then took three months for them to get a visa, but their visas specified that they are not qualified for any benefits, including housing or work etc. After two and half years, they joined me and we have two young sons, three and seven years old. During this period I have done all sorts of jobs. I worked in various places from distributing leaflets to driving and some manual work, always for the minimum wage. When I was granted permission to work, I was excited that I could now practice my profession as a doctor or a researcher, but alas that is not possible. I am now working hard to pass my medical exams which are required of a foreign doctor who wants to practice in the UK. However I am not sure whether I'll be able to find a job when if I pass the exams because I have not worked in my profession for over than four years.

The integration of refugees is problematic and the common response to refugees and asylum seekers is characterised by a kind of organised hypocrisy (Gibney, 2004). The social distance between migrants and host populations constructs forced migrants to be imbued with negative value judgments, to be a threat because they are 'different' from the rest of society and even considered an undeserving economic burden. Successful integration is possible, however, if the differences between the host and displaced populations are minimised. In reality, asylum seekers and refugees find it difficult to integrate into the host society and are often the subject of racial tension. As the Iranian doctor in Bradford explained:

We are very isolated and integration is not really possible. If we can find English people we would try our best to communicate, but we are not able to mix with English people. Most Asians don't mix with us – they are mainly in close extended families and it is difficult to communicate with them. Culturally, they are different and they don't accept our version of Islam because they believe Shia Muslims are infidels. Also they are so extreme in their beliefs that they have come to the UK to escape fundamentalism.

This case study provides strong evidence to suggest that statutory provisions are failing to meet the basic housing and financial needs of all forced migrants. As the responsibility of the state in meeting basic needs diminishes, and the ability of many forced migrants to do paid work is curtailed, the role of informal welfare agencies such as charities, churches and other NGO's to support asylum seekers and refugees has come to assume greater importance. It is within this context that the concept of protection for forced migrants is highly contentious and is much discussed within the policy discourse (Harrell-Bond, 1986; Crisp, 1999; Cernea, 2000; Chimni, 2001; Fortin, 2001; Castles, 2003; Mehta, 2003; Gibney, 2004). A wide range of institutions are now engaged in the provision of social protection through both formal policies (social insurance programmes, health and education) and informal means (social networks and intra-household and community support). A critical element of social protection is that public policy expands or enhances the individual's agency as constructed by their social position in relation to wider forms of stratification and social relations of power. Within the policy paradigm, there is therefore a challenge for states to address structural factors that cause exclusion and poverty, and restrict the individual's agency to actively shape and contribute to the betterment of his or her own life (Sen, 1999).

Less Government: More Governance - the Multi-Agency Approach

Increasingly governments are devolving responsibility for forced migrants' welfare to an array of public, civil society and private organisations at both regional and local levels. A free market approach to welfare reform is to be considered as 'good' governance rather than retrenchment (Hewitt de Alcántara, 1998). This form of governance is a prime example of where decentralisation reduces the

state's power to redistribute, and changes the role of the state to that of a regulatory agent in the direction of market management. In this sense it is also a vehicle for promoting neo-liberal ideals, with individuals taking an increased responsibility for their own well-being as they become engaged with a host of agencies and institutions from local to supra-national levels (Dwyer, 2005). Neo-liberals would suggest that we could do away with the idea of public good and community, replacing it with individual responsibility. The involvement of a range of agencies in providing protection for forced migrants does not necessarily reflect greater commitment to their protection, but in most cases reflects attempts to contain the amount of welfare accessible to them, with the voluntary/informal sector essentially left to pick up the pieces.

A multi-agency approach, through which public bodies, voluntary organisations, and informal networks assist communities, households and individuals in managing to overcome risks and vulnerabilities, is perhaps a necessary response to globalisation. Such an approach to deliver rights focuses on less government and more governance or dispersed governance, based on multi-level networks and partnerships. In most European states, local networks of public and private voluntary/charitable providers are now charged with meeting the basic needs of forced migrants and provide a classic example of the patterns of devolved governance that characterise the dispersed state. The relationship between the state and other agencies is very complex, however. This is particularly apparent in the field of forced migration, where we find both practical and political problems in partnerships between different agencies.

In relation to rights and poverty reduction measures, Corporate Social Responsibility provides the framework for private sector involvement and by definition places a moral obligation on the private sector to contribute towards the objectives of a humanitarian agenda in order to improve the well being of local people, communities, individuals, environment and wider society in a way that, according to the World Bank, is 'good for business.' However, in practice there are a number of problems associated with this partnership. In the UK, private companies or housing associations are often used to find accommodation for migrants and asylum seekers leading, in some cases, to little control over landlords who provide inadequate accommodation. The Independent Asylum Commission Report is highly critical of the quality of housing that private contractors provide for asylum seekers:

Furthermore, much of the designated social housing, in which asylum seekers have been housed for long periods of time, has been found to be sub-standard. The nature of the dispersal strategy often meant that asylum seekers were housed in 'hard to let' properties or tower blocks awaiting demolition. The Joint Committee on Human Rights concluded that there is evidence to suggest that some of the accommodation provided to asylum seekers violates Article 8 of the European Convention on Human Rights on the right to respect for home, family and private life. (Independent Asylum Commission Interim Report, 2008, p. 48)

The engagement of a diversity of agents in programmes that protect forced migrants rights suggests that extending responsibility beyond the state is useful so long as the responsibility of the agents involved and the extent of their decision-making independence are clearly defined. We must not forget, however, that public/private partnerships will only be of interest to the private sector for as long as they remain profitable (Dwyer, 2005). There is an obvious tension between the public and private sector which is perhaps why relatively little research has been undertaken on how the responsibilities of agencies could be effectively expanded to complement the role of the state in securing rights. Clarke (2004) argues, for example, that the concept of the dispersed state or governance induces fragmentation in service provision, multiplying the number of agents and agencies involved, increasing the number of (micro) decision-making settings and generating new

problems of coordination, regulation, and scrutiny (p. 37). More importantly, a crucial element of the delivery of rights is the political will enforcing them, bringing us to question of the responsibility of the state as outlined in international social justice and rights declarations.

Given the diversity of agents in programs that protect the rights of forced migrants, it is clear that there is a range of mechanisms for the delivery of this social protection. It, therefore, is important to understand where the delivery of rights rests and who is responsible for ensuring their delivery. As long as international pressures for social justice and rights declarations continue to be articulated through the state and national legal systems, irrespective of which agencies deliver front-line services or development policies, it is the local political context that will influence the delivery of rights and social protection for forced migrants. In the current global order, the issue is not necessarily one of transferring responsibility, but one of building capacity in nation states to protect the individual whether as actors or enforcers.

Conclusion

The reconstruction of refugee protection policy in Europe reflects the ‘crisis of asylum,’ or rather concerns over the national security and economic burden of refugees. As I have examined in some detail, the real problem with existing approaches to forced migration lies not in providing short-term emergency need, but in tackling some of the structural issues that mean protracted refugees have little hope of relief from poverty. A framework for social protection would offer support measures while empowering individuals to contribute to their own and their society’s well-being. An added dimension to the delivery of rights offered by the social protection framework is to place upon the state responsibility for enhancing the individual’s agency to actively shape his or her own life, which challenges structural factors that cause exclusion and rights abuses. Consideration of how social policy connects state and civil society leads us away from individualised, pathological understandings of forced migration, and pursues us to look upstream at the wider structures and events that cause forced migration and confine affected individuals to the margins of host societies.

Implementation of social protection is, however, not simply about financial and administrative capacity, but relies on political will and commitment. This suggests that it is within the wider strategy and policy framework that a rights approach would need to act as a driver for change, rather than as a function of a refugee or displacement programme. This poses a significant challenge to the current neo-liberal paradigm that limits states’ interpretation of a rights-based approach to one centred on civil and political rights. For a social protection framework to be successful, it requires acknowledgement of the full range of rights. This is where it fundamentally differs from current policy approaches on the management of displacement, which deliver only short-term relief and tend to only perpetuate further destitution.

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**Migration inside the European Union After its Enlargement:
Consequences for the European Democracy?**

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Introduction

“One of the fundamental objectives of the European Union, as stated by the constitutional treaty which was signed in 2004 and is now undergoing a ratification process in the member states, is to offer its citizens an area of freedom, security and justice without internal borders” (DG-Justice and Home Affairs).¹ It is obvious that this new objective of the European Union not only concerns citizens of the original fifteen member states, but also citizens of the twelve countries that recently were accepted into the EU between 2004 and 2007. In order to provide citizens with freedom, security, and justice without introducing internal borders, the EU must ensure freedom of movement and residence throughout the EU.² Even if original member states are allowed to delay this free movement by up to seven years, in the long term all the citizens of the twenty-seven member states will be allowed to settle in any country of the EU.³

These long-term EU objectives to create an area of freedom, security and justice and to suppress internal borders are challenged by the national discourses (produced by some political parties and by the media) that oppose intra-EU migratory movements from new member states (especially the most populous ones, in 2004 Poland, now Romania) to original member states. These opponents use classic arguments to back up their claim saying that migrants ‘steal jobs from natives,’ ‘lower salaries,’ and ‘increase crime rates.’ This general hostility has spread from public opinion to being translated into restrictive measures, and even voted on Italian governments, against the migration of specific EU citizens, as was the case in Italy in November 2007.

In fact the positive image of a common European space is opposed in national discourses that want to maintain the status quo. Even countries such as the UK and Ireland, that originally opened their borders to the citizens of the ten new member states that joined the EU in 2004,⁴ are now introducing restrictive measures against Rumanians and Bulgarians due to the growing hostility towards such migrants. In January 2007, the Romano Prodi progressive government -defeated by the populist coalition of Mr Berlusconi in April 2008- opened the borders to Rumanians and Bulgarians. However, in November 2007, after the murder of an Italian woman by a Rumanian man, the Italian government changed its approach. Now the shameless xenophobic Italian government of Berlusconi has legitimised anti-Roma pogroms and the anti-Romanian sentiments of populations under stress because of their economic situation.

It is interesting to notice that in Italy, over the last thirty years, there has been a clear shift in the terminology concerning immigrants. Up to the enlargement, immigrants were called ‘extra-comunitari,’ non-communitarians. Today this term has disappeared and the fact of being EU citizens doesn’t protect individuals from a hostile public opinion. New member states’ citizens are not considered European citizens, but instead dangerous migrants with the media, especially the ones of Mr. Berlusconi, contributing to the creation of new monsters in the public’s opinion.

Europe is not especially generous with migrants and potential migrants. The expression ‘Fortress Europe’ that protects the borders against the South is a powerful image for the populations living in the Southern part of the Mediterranean and in Sub-Saharan Africa. Irregular migrants die every day

- 1 The Treaty of Amsterdam on the European Union (EU) which came into force on 1 May 1999 states that the EU:
 - a) must be maintained and developed as an area of freedom, security and justice;
 - b) must be an area in which the free movement of persons is assured;
 - c) in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime.
- 2 To this effect, the European Council adopted in October 1999 in Tampere a first work programme which was implemented in 2004.
- 2 The Constitutional Treaty signed in October 2004 by the Head of States and of Governments reinforces the objective to offer citizens an area of freedom, security, and justice: “The European Union has already put in place for its citizens the major ingredients of a shared area of prosperity and peace: a single market, economic and monetary union, and the capacity to take on global political and economic challenges. The challenge is now to ensure that freedom, which includes the right to move freely throughout the Union, can be enjoyed in conditions of security and justice accessible to all. It is a project which responds to the frequently expressed concerns of citizens and has a direct bearing on their daily life.”
- 3 The material suppression of the internal borders concerns in fact the Schengen space.
- 4 Poland, Hungary, Czech Republic, Slovak Republic, Lithuania, Estonia, Latvia, Slovenia, Malta and Cyprus.

in the attempt to reach the European shores. At the same time, other multiple borders –economic, cultural, and symbolic- are built inside the same EU space. The EU internal migrants are victims of these other internal borders, which are reinforced by the present EU economic and political context, characterised by multiple inequalities not only between countries, but also between regions, areas, and niches in the labour markets. These inequalities are deeply undermining Europe’s idea of social justice, freedom and security.⁵

Today, as a result of the return of nationalist and populist ideologies, migratory policies of EU member states are trying to stop the free circulation of recent EU entrants and creating xenophobic campaigns against them, while focusing on the economic differences among member states. Such responses are undermining the idea of a European democracy.

The Main EU Border: Fortress Europe Dressed Against the South

Migration is a very important topic in the EU debate, even if there is no common EU migration policy. Just a few areas of migration issues have been harmonised through the Amsterdam Treaty and the Hague Program (2005), which in fact links migration and security. The ‘First Pillar’ of the policies in the area of Justice, Freedom and Security, set in the Hague Program, covers areas such as the European strategy on asylum and migration, visa and border policies, as well as in the fight against global terrorism.

The admission of categories of foreigners other than refugees and asylum seekers has remained of competence of the member states. A Green Paper on an EU approach to manage economic migration has been incorporated in the Policy Plan on legal migration, adopted in December 2005, which lists the actions and legislative initiatives intended by the Commission to build European legal migration policy. In fact, the new directives proposed in 2007 address the conditions of entry and residence only of for particular categories of immigrants: highly skilled and seasonal workers, intra-corporate transferees, and remunerated trainees. Other categories of migrants whose conditions can be harmonised in the near future are researchers and students (see Council Recommendation, 2005, October 12). For all the other labour migrants coming from outside the EU, harmonised visa and border policies can be synthesised in a powerful metaphoric image: ‘Fortress Europe’ that means closed borders and impossibility to settle in the EU countries. Consequently, individuals will continue to risk their lives to cross the Sahara desert, the Mediterranean Sea, the Atlantic Ocean, to reach Ceuta, Lampedusa or the Canary Islands.

The tragedy of the irregular migrants coming from North Africa and Sub-Saharan Africa is extremely common in the imaginaries of populations in the Southern Mediterranean and African countries. The Sahel Opera -Bintou Wéré-⁶ has dramatically represented this border as a ‘concentration camp’ which keeps people out instead of in, one that people desperately people try to cross.

Fortress Europe is creating a large resentment among many people -of all social classes- living outside the EU. It is common to accuse the EU of too restrictive visa and migration policies against the South -especially Southern Mediterranean countries. Also, there is much resentment about the different treatment reserved for citizens of the Eastern countries that have only recently become part of the EU. As a consequence of the enlargement of the EU, the physical and symbolic borders

5 In his book, *The Loneliness of the global citizen*, Zigmud Bauman (2000) analyses the concept of security, considering three dimensions: security, certainty, safety, which are the conditions of self-security and self-confidence. The lack of one of these components provokes a sense of insecurity; or it is upon the conditions of self-security and of self-confidence that the capacity of acting and thinking in a rational way depends (Baumann, 2000, p. 25). The lack of one of these components provokes a sense of insecurity, nourishing ‘the anxiety, the search for a scapegoat and the aggression’ (Ibid.). The lack of existential security is a consequence of the development of economic liberalism that produces the perception of a precarious existence; the lack of certainty depends from the difficulty in understanding the reality, of foreseeing the events and putting them in an ordered understandable process. Finally safety has to do with the personal and individual dimension of security that concerns the body and its extension, as the family members and the personal goods and properties. These three images of security overlap necessarily.

6 *Bintou Wéré*, un opéra du Sahell, the first African Opera, composed by Zé Manuel Fortes, libretto by Koulyou Lamko.

of Europe seem to have been moved from the East, which used to be the threat at the time of the Cold War, to the South, in front of which protection is needed -protection from Islamic terrorism, immigration, and cultural challenges. Southern Mediterranean populations believe that the visa and asylum policies of the EU use the Mediterranean Sea as a geographic division between Europe and Africa by which to protect 'Fortress Europe.'

Inside the EU, political discourses, academic works accepting the idea of clash of civilisation, and media used by populist parties (as for example the Berlusconi coalition in Italy) evoke the correspondence between physical, geographical, political, and cultural borders. 'Fortress Europe,' therefore, defines the borders of the EU, in legal terms (the physical borders that have to be protected) and the symbolic ones (the borders of Europe's cultural, political and even religious characters).

Europe and the 'Others'

On the other side, scholars, progressive politicians, and members of NGOs who care for attempting migrants, denounce Fortress Europe, focusing on the relationship with the South that seems to be one of the European Union's main axes of differentiation with the others.

They denounce the fact that this border also marks an identity. Borders are in fact always identity borders: the metaphor 'Fortress Europe' means by definition that it separates cultural members of the EU from to the Others, the non-Europeans.

The definition of the others as the non-communitarians⁷ identifies individuals coming from the South, and refers to immigrants as 'internal others,' in order to denounce restrictive migratory policies and to denounce immigrants' invasion. The following statement of Verena Stolcke (2000) exemplifies this feeling: "extra-European immigrants who come to Europe to look for asylum and work are seen as threatening aliens [...] There is a growing trend in Europe, to give responsibility of all the socio-economic problems –unemployment, lack of housing, criminality, welfare- to the immigrants, who are deprived of 'our moral and cultural values,' simply for the fact that they are among us" (pp. 158-159).

This type of analysis is often accompanied by theories about the construction of the immigrant/the other, as an enemy in the time of globalisation, economic crisis and general insecurity in front of the future. Western societies are going through a phase of transition where trajectories of social mobility are redefined, traditional representative systems are in crisis, and individual and collective identities are questioned. Given that the governments cannot promise their citizens 'a secure existence and a certain future,' they can be harsh against visible threats to immigrants at the borders or in cities. As a result, collective uncertainties are reduced to private worries that can find a political answer in the policies of law and order. Immigrants, therefore, are the easy scapegoats of these policies.

Main Borders and Multiple Divisions

It would be difficult to deny the importance of the border between the EU and non-member states, affecting both the migratory processes and the individual lives of EU citizens and non-citizens. At the same time, it would be difficult to deny that there are various categories of EU citizens, and that the ones coming from the poorest new member states are victims of discrimination in EU countries. Some scholars begin to speak about EU internal colonies.

After the enlargement, inside the EU area, internal borders against EU migrants coming from the new member states have been built. Their free circulation has been delayed; special measures to deport them have been taken, etc. These migrants are in fact EU citizens, but, in spite of their legal status,

their images in the EU debate are as negative as those of non-communitarians –from the Polish plumber who scared the French voters in 2005 when they were approving the EU Constitution to the uncivilised Rumanians that are deported from Italy since 2007. At the same time, extremely populist discourses have been developed, attacking immigrants, without distinguishing between EU citizens and the others.

These borders of discrimination and prejudice inside the EU -of which the EU internal migrants are the victims- are connected with new complex forms of economic and social inequalities, between states, regional areas, ethnic minorities, crossing class divisions and gender relations.

The construction of a common European sense of belonging -and a European identity- is difficult in front of these inequalities in which the project of Social Europe seems to have been abandoned. The legal distinction between the two categories of European citizens/communitarian and non-communitarian should then be combined with the analysis of multiple processes of discrimination linked to various forms of circulations that take place within the enlarged borders of the EU.

Categories of Citizenship and Multiple Discriminations in the EU's Enlarged Space

There is little doubt that the most discriminated ethnic group is the Roma -now victims of pogroms in Italy- who are -in their totality- EU citizens.⁸ Even if their circulations have increased after the fall of the Berlin Wall and after the enlargement of the EU, they are not labour migrants and should therefore be defined as a minority.

As far as labour migrants are concerned, even if EU citizens are not victims of the same restrictive migratory policies striking the non-communitarians, the selection processes in the European labour markets create different categories of EU citizens. Highly qualified non-EU citizens, such as North Americans or Japanese in Rome or Paris, certainly experience less discrimination than recent immigrants from Romania, despite the fact that they are in fact EU citizens. However, Romanian immigrants can find very different economic situations in Dublin or in Milan, according to the niches of the labour market in which they can be employed. A Rumanian engineer in Dublin will therefore have a very different status than a construction worker in the shadow economy of Milan, or a worker or forced to accept the conditions imposed by criminal organisations in Naples.

Multiple discriminations against other EU citizens, such as the Rumanians are also justified in 'culturalist' discourses where the same arguments used against non-communitarian groups are reproduced. Multiple discriminations against the EU migrants are part of growing inequalities between categories of citizens in the EU. Among the causes of these growing inequalities are the diversifications of the labour market where the informal economy and the black market are now occupying more and more niches in various employment sectors and are not counterbalanced by effective social policies. Social Europe, unfortunately, has not sufficiently opposed these trends.

The growth of the informal economy in old and new member states and the development of the black market in many employment sectors (construction, domestic work, services in general, but also in small and medium industries) have a catastrophic impact on life conditions and on the levels of security for workers. Immigrant workers, both from outside the EU or from new member states, who are often employed in the black market, are the first victims of this trend.

Both in old member states and new member states welfare systems are not addressing the needs of an aging population. Given the privatisation of services, families -especially in Southern Europe- hire cheap female labour to care for both children and the elderly. This process has also had a great

⁸ If they are not citizens, it is not because they are immigrants but because they were not registered at the birth. In Italy, where Roma are victims of great discriminations, it is estimated that on 160,000 Gypsies in Italy, 90,000 of them are Italian citizens.

impact on migration processes, and has created new issues in gender relations that, in fact, appear to contradict the EU policy on the equal opportunities for women and men.

Moreover, populist parties -as the shameless xenophobes of the Northern League (the definition is the one of the New York Times) which are too generously tolerated by EU institutions- tend to sharpen the division between us and them. It must be stressed that populist parties gaining votes on immigrants exist in a dramatic way in countries as different as Italy (the most repugnant case with the Northern League and Berlusconi) and Denmark. Other countries -as different as Spain and the UK- have more open immigration policies and manage to control anti-immigrant sentiments, while the economic benefits of immigration are largely recognised by politicians and the media.

This does not mean, however, that in the future the UK and Spain will be completely immune to the populist anti-immigrant discourses of politicians. In Spain, Mariano Rajoy used this argument in the last electoral campaign (luckily without success)⁹ while in the UK, even in the absence of large populist parties, the fear of immigration is currently growing. These anti-immigrant sentiments are important because they concern now, or soon will, all citizens from countries recently admitted to the EU.

The Polish in the UK and the Polish Plumber in France

The UK had an open migratory policy in the first stage of the 2004 enlargements although it delayed migration from both Romania and Bulgaria, fearing that such migration would be met with negative reactions despite the immigrant's positive contributions.

When ten new members were admitted to the European Union in 2004, many Western Europeans feared an influx of cheap labour. Britain, Ireland and Sweden were the only three European countries that granted unfettered access to their job markets. The reasons of this acceptance were mainly economic: several industries were suffering from labour shortages and most native-born Britons had abandoned many taxing minimum-wage jobs. But despite their original expectations as to the number of immigrants that would come from Eastern Europe, almost 500,000 came in the first two years. It is estimated that today, three years later, 1.1 million Poles, mainly young, came to Britain. The majority of these immigrants are in non-qualified jobs as construction workers and care givers, while only the lucky few have found qualified jobs.

Today, Poles are the third-largest group of immigrants in the UK, behind the Irish and Indians. According to both government and independent scholars, immigration from the new member states has brought significant economic benefits to the British economy. The New York Times quotes estimates of the Home Office in 2006, which attribute £6 billion (\$12.3 billion) of the nation's economy to immigrants in 2005. According to David Blanchflower of the Bank of England's monetary policy committee, Eastern European immigration has also reduced inflation pressure by increasing the supply of goods and services. Yet despite these tangible contributions, immigrants are viewed with suspicion by many Britons (Crawley, 2005). This could be due to the propaganda of populist newspapers such as the Daily Mail (Green, 2006) which focuses on stories about how immigrants have strained resources at hospitals and increased benefited largely of the Eastern European immigration, especially the Polish ones, and insisting on the threat of unemployment as well as the crime rates. In addition, these immigrants were not treated as equals with Brits; on average, another argument is the lowering of the wages. It is in fact correct that on average, Poles earn £7.30 (\$14.93) an hour, compared to £11.10 (\$22.70) an hour that Brits receive, for Britons, according to a report by the Institute for Public Policy Research, a British institute. In order to avoid increased hostility on

9 The topic of migration has been raised by the Popular Party during the last electoral campaign. Mr. Rajoy has made much of uncontrolled immigration, with the avowed goal of luring native working-class voters away from the Socialists. During the debates with Rajoy, Mr. Zapatero stoutly defended immigration, especially his decision to legalise many of those who entered Spain illegally while Mr. Rajoy said that 'uncontrolled immigration is a danger.' Moreover, Mr. Zapatero argued that partnership agreements with African governments had helped reduce the flow of illegal immigrants. Rajoy's hope in the electoral campaign was that Spaniards may consider the high number of immigrants as a danger in a time when the economic situation is beginning to deteriorate -with rising food prices and unemployment. However, the arguments of Rajoy didn't convince the Spanish voters.

both the part of the Brits and the incoming immigrants, In any case, in order to avoid too negative reactions among the population, the UK government limited the number of incoming did not open again the doors to Romanians and Bulgarians.

The French debate on the Polish plumber during the referendum on the EU Constitution in 2005 is quite well known. The catch-phrase 'le plombier polonaise' was first used by Philippe de Villiers,¹⁰ leader of the Mouvement pour la France, and the 'No' camp. The plumber was a symbol of cheap labour arriving from central Europe. He symbolised at the same time both a migrant -therefore, uncivilised, inferior, and a threat to the national lifestyle- and an exploiter of the liberalisation of the EU market, making money, and taking work away from his hosts.

The phrase got picked up by politicians and journalists throughout Europe and was used on both sides of the political debate. Pascal Lamy, the French head of the World Trade Organization reportedly denounced 'plumber phobia' for twisting the debate of Europe's future; and there was even talk in the French Socialist camp of building a statue in honour of the Polish plumber.¹¹ However, the 'No' prevailed at the referendum marking in fact the end of the EU Constitution.

Italy and the Rumanians

According to the Roman Catholic Charity Caritas, which produces a statistical dossier every year, at the end of 2007 there were 3.7 million immigrants in Italy, accounting for 6.2 percent of the population, and of which 560,000 are from Romania.

At the beginning of 2007, Italy had opened the frontier to Bulgaria and Romania while the other great European countries closed their borders. Similar to the UK, Italy also needs immigrants to fill low-qualified jobs -especially as construction workers and as caregivers. The majority of Rumanians are, in fact, employed in these two sectors. It is estimated that 22,000 Italian companies employ 600,000 Romanians. There was a supplementary reason to open the borders. A number of Italian companies have invested in Romania.

However, as had been the case for the UK, the Italian government had not anticipated such an influx of immigrants, which, in the Italian context, has provoked specific effects. Given the fact that the Italian black market is highly spread and known for its overexploitation of immigrants, it has been hard for migrants to find economic resources necessary for their integration into society, including a proper job and decent housing. As a result of their poor-paying jobs, immigrants live in newly created shantytowns which appeared all over the country, in the peripheral areas of the towns, where Roma and Rumanians have been forced to live together in desperate life conditions.¹²

In November 2007, the killing of Giovanna Reggiani, a 47 years old woman, who was molested and beaten to death at a train station in Rome, and the arrest of a Romanian (and Roma) man living in a shantytown has provoked a surge of emotion to which the Prodi's government has responded with an emergency decree permitting local authorities to expel immigrants deemed 'dangerous.' A few shantytowns have been destroyed (and immediately rebuilt in other areas) and some Romanians were forced out. Simultaneously, three Romanians were wounded after being attacked in Rome by a mob armed with knives and metal bars.

10 In fact, the phrase became well-known after Frits Bolkestein, the creator of the Directive, noted during a press conference that he would like to hire a Polish plumber because he finds it hard to find a good handyman for his second house in northern France. The proclamation caused considerable controversy and debate in France. The mayor of the village in which Bolkestein resided gave him a list of available plumbers he found in the phone book.

11 Interestingly, in June 2005, the Polish Tourist Board came up with a response to all the rhetoric with its own image of the Polish plumber as a hunky, young, Californian beach boy with bulging biceps flanked by images of the Tatra Mountains. The caption went, "I'm staying in Poland, come one and all."

12 Indeed the transition of Mediterranean countries, from emigration to immigration regions, did not follow the scheme of post-colonial or temporary migrations that touched north European countries. Many researchers point out that, in the South of Europe, it appeared a 'new migratory model,' different from the one that featured the North of Europe before the introduction of restriction policies on work immigration during the seventies (Maciotti & Pugliese, 1991; King, 2001).

In this context, the Romano Prodi wrote a letter to the European Commission asking for assistance with fellow-European immigrants and for a defined strategy for their integration into society. However, it seems as though the problems that the Italians faced were caused by Italy's particular socio-economic system. In response to Italy's problems with immigrants, the centre-right opposition that came to power in April 2008 called for tough measures, including the right to expel immigrants, even if they have not been proved to be a threat. After the killing of Giovanna Reggiani, leader of the opposition National Alliance, Gianfranco Fini, directly took on the delicate question of criminality among the Roma, while claiming that they were unable to adequately integrate into Italian society. Critics of his views were relatively weak by all the other political forces.

The problem remains that Italy is unsure of how to address the problem of immigration and how to deal with the ways in which society has been altered as a result of their arrival. Therefore, Italy has yet to implement appropriate integration policies. Whatever the reason, populist parties, such as the Northern League and the Berlusconi Freedom Party, blame not only immigration, but also the EU enlargement and the same EU. Whatever the reason, populist parties such as the Northern League and the Berlusconi Freedom Party blame EU enlargement for the increase in immigration related problems which are so prevalent in Europe today.

The first actions of the new Berlusconi governments have been in fact 'razzias' against the irregular migrants, pogroms against the Roma and the request to stop Schengen free movement.

Conclusions

New intra-European migrations after the EU enlargement represent a challenge for the EU construction. When Spain and Portugal entered the EU in the 1980s their integration into the 'Fortress' was much easier than it is for new national groups to successfully acclimate today. Currently, a populist exploitation of these migration flows is taking place by various political forces as issues of economics, labour, and welfare are addressed.

At present it is unclear whether freedom, security, and justice can develop in an economic space despite great inequalities in salaries, labour rights, welfare, and the growth of the informal economy and black market. Democracy within Europe is therefore being tested as a result of growing inequalities between EU member states, as well as within each state. Moreover, the growth of populist parties who get into power as the shameless xenophobes of the Northern League in the Berlusconi government of Italy represents a threat for the same idea of Europe that the founding fathers of the EU had developed.

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**Migration States or States of Exception?
Social Movements Confront Authoritarian Statism**

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Introduction

If we are to address thoroughly an issue as complex as migration, we are forced to examine closely how the methods for controlling migration are being reformulated. The focus of our paper is primarily the European context, but the ideas and processes have a much wider scope. In an era that is characterised by a generalised 'state of exception' (Agamben, 2004), the methods for controlling migration are changing form. On the one hand, we are seeing the emergence the 'migration state' (Hollifield, 2004) in what has been described as 'the age of migration' (Castles and Miller, 2003), and on the other hand, we are seeing the increasing securitisation of migration (Tsoukala, 2005, 2006). Yet, the policies of 'controlling' migration seem to be failing as there is a steady increase in clandestine migration. Social advocacy movements concerned about migrants' rights face a number of new challenges, as the methods of securitisation and the extended application of the state of exception indicate more and more desperate efforts to reassert 'control of migration' -practices characterised by a vigorous authoritarian drive.

The 'migration state' is caught in what Hollifield (2004) has referred as 'the liberal paradox': a contradiction that leads to a state being torn by two opposite forces in two different directions (p.886). States are not only influenced by international (and national) economic forces that push for more 'openness' (including international trade, investment and, as a consequence, migration); they are also influenced by powerful domestic political forces that push for greater 'closure' (i.e. populist pressure and xenophobic calls for the tighter control of migration). The various factors that make and unmake migration and quasi-migration policies have produced a very contradictory state of affairs, which together with the effort to coordinate migration at the EU level has produced what will be called the European state of exception. The European state of exception is a context which requires that social advocacy movements and trade unions, as well as non-activistic type actors, rethink their strategies, form new means of collaboration and deal with new forms of confrontation that make some of the 'old recipes' and understandings obsolete. Social forces are becoming more fluid while the distinction between 'national' and 'transnational' forces, although still important for analytical and organisational reasons, is becoming more blurred and problematic.

Defining the State

In the Penguin Dictionary of Politics, Robertson (1986) introduces the term 'state' in the following way:

The state may be the most commonly-used and most opaque term in the whole political vocabulary. Even the derivation of the term is obscure, and in many cultures, (including earlier medieval European society, to take one example) it would be hard to specify what [...] word should be translated as 'State.' (p.307)

It is completely unhelpful to define the 'state' in purely negative terms (for example, by saying 'the State as opposed to 'government' ') without putting forward a positive theory. Even though Robertson (1986) complains that the term "still creates a good deal of confusion and uncertainty," he himself arrives at an unsatisfactory and confusing definition for 'state':

The easiest way to think of it is as the set of fixed roles and institutions that make up the generally legitimate political institutions within which partisan conflict is combined. (p.308)

It is rather odd to define the state as a 'set of fixed roles', unless Robertson is referring to the functions performed by the state - and even then, the state still needs to be defined.

Theorising about the state or 'political society' has been a concern of thinkers for centuries. The word

'politics' itself is derived from the ancient Greek 'politika' (πολιτικά), which refers to the common concerns (τα κοινά) of the 'polis' (πόλις), the city-state of ancient Greece. The classical Greek word translated as 'state' (κράτος) is also the noun of the verb κρατεῖν which means 'power.' The state is a central locus of power, though not the exclusive locus of power; the state is part of society but is also above it. The question of the origin of the state is an important consideration. In the nineteenth century, Engels (1984)¹ argued that the state "is a product of society at a certain stage of its development" (p.103). Rather than an eternal companion of human life, the 'state' can be said to have emerged out of the historical process at a particular time - though this time is difficult to locate. Stuart Hall (1984) points out that "The state is a historical phenomenon: it is a product of human association - of men and women living together in an organised way" (p.1).

Max Weber's influential definition of the state can be taken as a common starting point. Weber (1983) defined the state as "the sole or monopoly legitimate user of violence in a given territory" (p.111). A broadly similar definition is that of the state as "a legal and political organisation with power to require obedience and loyalty from its citizens" (Seton-Watson, 1989, p.1). Indeed, recognised legitimacy and territory are two central elements upon which a theory of the state must be built, although in practice, it is possible to have a state which acts illegitimately (e.g. is not a "legitimate user of violence") but is still nonetheless a state. In addition, the state is neither class-neutral nor gender-neutral (Anthias and Yuval-Davies, 1989); according to Pateman (1983), the classic works on the social contract (from which the state derives) are deeply gender-specific, exhibiting a patriarchal conception of society.

The later works of Poulantzas, which perceive the state as a complex system of political domination and intervention in society, are of particular relevance to this argument. Poulantzas gives an insightful framework for understanding the state, developing earlier, intellectually-erstwhile Marxist analyses which had been criticised for being 'essentialist,' 'reductionist,' and 'economistic.' Poulantzas suggests that the state ought to be perceived as a relationship rather than as a quantifiable entity. 'Power' as such is itself necessarily a social relation and cannot be reduced to a mere mechanism or apparatus. Held points out that, for Poulantzas:

The concentrated modern state is both a necessary result of the anarchic competition of civil society and a force in the reproduction of such competition and division. Its hierarchical-bureaucratic apparatus along with its electoral institutions simultaneously represent unity (the 'people-nation') and atomise and fragment the body politic. (Poulantzas, 1980)

For Poulantzas (1978), the economic functions of the state "are articulated and grounded in the specifically capitalist relations of production" (p.53). However, it was Poulantzas' perception of the state as a social relation that was his most innovative contribution. In emphasising social relations, Poulantzas (1984) was trying to counter what he considered to be an essentialist perception of the state by alternatively suggesting that the state is best understood as "a material condensation of a balance of power between classes and class fractions" (p.147). According to Poulantzas, the state, and in particular the nationally-organised state, serves as an instrument of organisation and consolidation for the 'national-popular' hegemony. Within this conception, class cannot be obscured or overlooked, as it is a constitutive element in the national-popular hegemony. Indeed, the very creation of the state is related to the question of class.²

Moving away from the instrumentalist position, Poulantzas shows that the whole process involving the state is far more complicated than a monolithic perception allows. For Poulantzas, all the state's apparatuses do not merely reflect the total power which is materialised there. Instead, he suggests

1 Engels (1984) further suggests that there are a number of distinguishing features between the "old gentile order" and the state. These include the following: the division of subjects according to territory, a new system of "institutions of coercion of all kinds of which gentile [clan] society knew nothing," taxes, public debts, and the appearance of officials "as organs of society, above society" (ibid, pp. 103-104).

2 This is the central theme in all his works (Jessop, 1985, p.14).

that these apparatuses have a much more vital link to power, saying: “these apparatuses are no mere appendices of power, but play a role in its constitution: the state is organically present in the generation of class power.” Poulantzas goes even further in establishing a basis for how to analyse the form of the state, contributing to one of the most insightful analyses of the state, particularly when considering the nation-state dialectic. For Poulantzas (1980), social change is the product of wider struggles that occur in society, which are reflected (even if they are distorted) in the composition of the state, at least in the long-term.

Changes in the State themselves refer above all to the struggles of social classes. These constitute the framework of modifications in the role and economic activities of the state, each of which has particular effects upon the state. (p.53)

Thus, class struggles are crucial in understanding the state. As the debate about the future of ‘global governance’ continues, some scholars are proposing a rethinking of democratic theory so as to take into account the global dimension of social struggles (Held, 1995).

There is no unified position on the question of whether the power of the nation state is eroding or not. How is it possible to speak of a “disintegration of the capitalist national unity” and hegemony ‘crisis’—and simultaneously maintain that the nation-state still remains a powerful tool in politics, as Marxists such as Poulantzas did (1975)? In fact, Poulantzas (1975) himself saw the emerging ‘authoritarian police States’ throughout Europe as partly attributable to these same processes and the class struggle within them (p.84). The term ‘authoritarian statism,’ a phrase Poulantzas coined later, actually describes the outcome of the hegemony ‘crisis’ in a period in which “inter-imperialist contradictions have been reactivated” (Poulantzas, 1980, p.212).

Europeanisation and the State

The processes of Europeanisation certainly create a new dimension in the generation of ethnic conflicts, as they alter the ‘nation-state dialectic’ and redefine the boundaries around, and the power dynamic around within, the State. The processes are complex and contradictory, and rather than considering how the nation-state form might somehow be superseded by a ‘supra-national State’ and how the ‘old allegiances’ and ‘ethnic particularisms’ might somehow be eradicated, it is best to approach matters in a more cautious manner. The alterations and transformations that are happening are such that they accentuate, rather than erode, ‘ethnic/state conflicts’; however, depending on the context, policies, and other circumstances, these changes may sometimes facilitate the resolution of conflicts. There is no ‘automatic’ process, and the eventualities are by no means certain.

Analyses of the subject should be contextual rather making broad generalisations. Different approaches have been developed to explain the process of integration and its effect on the nation-state; however, it is necessary to move from describing the processes of integration to explaining why and how these processes are actually happening. O’Neill usefully divides the theoretical perspectives on integration into four models: two ‘supranational paradigms,’ which are the federal approach and the functionalist approach; the ‘state-centric model’; and finally, what he calls the ‘syncretic’ model (which he favours). Marxist approaches present a different picture of the same process, but it is beyond the scope of this chapter to deal extensively with all the approaches to integration.

It would be misleading to assume that the rise of ‘supra-national state’ formation, at least at this stage, necessarily means the erosion or rejection of the nation-state, even if new restraints are imposed on the state. This criticism of globalisation theory can be crucial to understanding how

Europeanisation actually affects nation-states and ethnic conflict. The fact that the two most important areas of power - defence/security and border control - are still in the hands of the nation-state illustrates that its powers are far from diminished. At the same time, states are in the process of renegotiating these powers (for example, Schengen made border control an EU issue), and this is set to continue. While Max Weber's (1948) classic definition of the state as "the sole legitimate user of force over a given territory" still applies to the nation-state for the time being, the classic powers of the state are in the process of being 'transferred' to the EU (pp.77-128). Held (1989a) points out that although organisations such as the EEC (now EU) "create new restraints on national States, they also create new forms of political participation and intervention" (p.239). In fact, Held argues that the EEC is a means by which the state is able to continue to exercise its sovereignty by taking part in "the creation of organisations more equipped to monitor and regulate trans-national forces and relations beyond their control" (Ibid.). According to Held, what the creation and development of the EC has done is significantly alter the traditional conception of 'sovereignty' so that it is no longer necessarily the exclusive, perpetual and indivisible capacity of state power given traditionally by legal theory and international law (Ibid, p.234).

In this sense, the EU -faced with US global dominance on the one hand and Japanese economic competition on the other- "has actually helped the survival of the European nation State" rather than eroding state power, according to Held (Ibid, p.233). More recently, Held (1995) has maintained that the theories which stress the transformations of the nation-state as a result of globalisation (what he calls 'the transformationalist literature') exaggerate the erosion of the nation-state's power. Held asserts that this literature "fails to recognise the enduring relevance of the modern State, both as an idea and as an institutional complex, in determining the direction of domestic and international politics" (Ibid, p.26). He also argues convincingly for a more complex analysis, an analysis that transcends the 'exogenous' versus 'endogenous' paradigms. Other commentators suggest that it is not necessarily the case that the State is in retreat, but rather that there is a reshaping taking place; according to Muller and Wright (1994), "whilst the State may be in retreat in some respects, its activity may be increasing in others" (p.1). Although it is difficult to measure the state's overall 'retreat,' it is unquestionable that there has been an 'external 'State' retreat' - 'the erosion of state autonomy in the international and European arenas'- and equally unquestionable that there has not been an 'internal 'state' retreat' - 'the diminution of state authority at the domestic level' (Ibid, p.7).

For Muller and Wright, the Western European states' external aspect of power has clearly been eroded by 'internationalisation, Europeanisation, multi-nationalisation and technological change.' However, the 'redefinition' of the states' internal aspect of power has been far more complex, and in some areas, such as financial services and law-and-order, the role of the state has been reinforced. A transnational institution is not simply displacing the nation-state; rather, changes in the state's involvement in different spheres of life are very much dependent on specific political, ideological and other factors. Muller and Wright cite different pressures on the state: ideological pressures (neoliberalism and monetarism); political pressure by the governments in power (such as the Thatcher administration, the alleged 'successes' of which even forced other governments into policy U-turns); changing perceptions of the state; pressure from the internationalisation of industry; and the pressure of Europeanisation. Again, the debate about the future of 'global governance' continues, with some scholars proposing a rethinking of democratic theory so as to take into account the global dimension of governance (Held, 1995). Now, let us examine the above in the context of migration.

The Emergent Migration State

Hollifield's (2004) argument is quite straightforward: the old 'trading state' is increasingly becoming an 'immigration' state because (1) the trade of capital, goods, and services also requires labour (in

other words, labour movements are part and parcel of globalisation), (2) there has recently been demographic decline and increasing pressure on states' welfare and social security systems, and (3) the transnational networks linking sending and receiving countries have led to the professionalisation of entry into these countries (p.901). Further:

The migration state is almost by definition a liberal state in as much as it creates a legal and regulatory environment in which migrants can pursue individual strategies of accumulation. (Hollifield, 2004 p. 901)

The failure to control 'legal migration' has forced states to employ various legalisation regimes, and thus "amnesties, legalisations or regularisations have become a common feature of the migration state" (Hollifield, 2004, pp.904-905). Immigration can only be controlled at the regional level and higher as states are increasingly becoming incapable of handling the issues involved; Sassen (2004) suggests that, at the global level, nation-states are 'losing control.' But if indeed we live in 'the age of migration' (Castles and Miller, 2003), then why is it that nation-states have failed to such an extent?

In particular, as Castles and Miller (2004) point out, whilst states and supranational bodies are increasingly anxious and whilst they make more and more attempts to control migration, undocumented migration keeps on growing (p.852). At this point, Bhagwati's insight is pertinent: "Paradoxically, the ability to control migration has shrunk as the desire to do so has increased" (Bhagwati, 2003, as quoted by Castles, 2004, p.852). It should also be noted that the failure to control immigration is not just the 'plight' of weak states or small states: to the contrary, 'efficient states with long traditions of active migration policies,' such as the U.K. and Germany, are cited as examples for their gross migration policy failures (Castles, 2004, p.853).

If speculation about the future of the 'post-national era,' 'cosmopolitan/post-national/ transnational citizenship' and 'rights across borders' is true, nation-states are likely to remain trapped in the 'liberal paradox.' But how does this relate to the question of exception and the so-called 'permanent state of emergency' at the global level? The argument of this paper is that migration has become so central both to a state's economy and security that borders are no longer the 'edge'; they are becoming the 'centre.'

The Centrality of the Border: Migration and the State of Exception

Agamben (2005a) has no doubt that in the current, generalised state of exception, "the question of borders becomes all the more urgent" (p.1). In speaking of the 'edges' of law and politics, Agamben is of course referencing Fontana (1999), the Italian philosopher who has written about the 'ambiguous, uncertain, borderline fringe, at the intersection between the legal and the political' (p.16). Agamben's analytical insight concerns the ambiguity and uncertainty of the 'the no-man's land between the public law and political fact,' between judicial order and life. What I intend to do is take Agamben's work on the state of exception and apply his general schema to specific situations, examining the interplay between literal, metaphorical and symbolic borders. This is why I will apply Agamben's 'state of exception' to the 'emergent European migration state.' Yet, before doing this, I would like to expand on the centrality of the border - an idea which, at least at first, appears to be an oxymoron. How could the 'edge,' the 'border,' be the 'centre'? Balibar (2002) expands on the centrality of the border as a new socio-political entity in the following passage:

The term border is extremely rich in significations. One of my hypotheses is that it is undergoing a profound change in meaning. The borders of new sociopolitical entities, in which an attempt is being made to preserve all the functions of the sovereignty of the state, are no longer entirely situated at the outer limit of territories; they are dispersed a little

everywhere, wherever the movement of information, people, and things is happening and is controlled--for example, in cosmopolitan cities. But it is also one of my hypotheses that the zones called peripheral, where secular and religious cultures confront one another, where differences in economic prosperity become more pronounced and strained, constitute the melting pot for the formation of a people (*demos*), without which there is no citizenship (*politeia*) in the sense that this term has acquired since antiquity in the democratic tradition. In this sense, border areas--zones, countries, and cities--are not marginal to the constitution of a public sphere but rather are at the center.

The question of the nature of the 'borders of Europe' is becoming more and more important in understanding state processes: notions such as 'soft borders' and 'hard borders' are dilemmas for the enlarged EU (see DeBardeleben 2005; Neuwahl, 2005). In the context of the politicisation of immigration the question of the border increasingly becomes the 'centre' in terms of political discourses at the EU (Lahav, 2004; Trimikliniotis, 2007) and within national politics (see Trimikliniotis and Demetriou, 2007). Often there are 'soft borders' cutting across countries divided by wars that create new types of immigration problems such as Cyprus, Ireland and other (see Trimikliniotis 1999, 2006a, 2008). Moreover, beyond the celebratory dimensions that herald the border changes as 'good for migrants' as they find employment, crucial questions about the transformation patterns at the workplace, in-formalisation and exploitations of migrant workers are part and parcel of the 'loosening of borders' (see Veiga 1999, 2007; Trimikliniotis 2006). What we are dealing with is a wider phenomenon whereby migration must be located within the post-Fordist restructuring that is occurring across the European Union and the globe (Moody 1997; Schierup, 2007).

Defining the 'state of exception' and 'state of emergency' requires a nuanced analysis that takes into account the complexity of a condition that often seems to defy definition. Agamben (2005a) argues that:

The very definition of the term is complex, since it is situated at the limit of law and of politics. According to a widespread conception, the state of emergency would be situated at an "ambiguous and uncertain fringe at the intersection of the legal and the political," and would constitute a point of disequilibrium between public law and political fact.

This paper examines the constructions and boundaries of what Agamben calls the "zone of anomy dominated by pure violence with no legal cover," which is the grey zone of confrontation in which clandestine migration operates. It is precisely within this zone that there is the social, economic and ultimately political space for the operation of undocumented and illicit migration, and in fact, because of this zone's ambiguity and uncertainty, there is little doubt that a new space is opened here. In this space, the multitude of clandestine migrant workers are *de facto* engaged as both objects of persecution and objects of prosecution (as 'illegal immigrants'), as well as being subjects in a mass movement. The goal of these migrants' struggle is to define and sustain a legitimate public sphere for their safe and free engagement while earning their livelihood, bettering their lives and getting recognised rights on the borders of the nation-state. By merely defending their conditions for existence and becoming increasingly numerous, these migrants are factors transforming the nation-state's form. In other words, migrants are active agents of change; they are unexpected and mostly unconscious combatants in what Agamben (2005a) calls the 'gigantomachy concerning the void' (pp.52-64).

Since border control is traditionally considered to be one of the definitive characteristics of sovereign statehood, these undocumented migrants are challenging the state within the zone described above, an exceptional zone ruled by 'emergency reasoning.' According to Agamben (2005a), this area is:

A state of emergency, in which the exception and the norm are temporally and spatially distinct, has fallen away, what becomes effective is the state of emergency in which we are living, and where we can no longer distinguish the rule. In this case, all fiction of a bond between it and law disappears (pp. 52-64).

Clandestine migrants are structurally situated to take a side in this 'gigantomachy,' and their subjectivities are shaped by their 'translocational positionality' (Anthias, 2002). Agamben presents two theories regarding the contestation between the migrant and the state, which represent the two polar opposites within the state of anomy. The first theory prescribes the reassertion of nation-state control (the authoritarian will) and is represented by Carl Schmitt (2005), the antidemocratic critic of the liberal idea that 'the state is governed by law' in a state of emergency who claimed that professed governance by law is fictitious. The second theory, represented by Walter Benjamin, holds that the forces of transformation transcend the nation-state order and the system it represents. According to Agamben (2005b), Benjamin, in distinguishing between an 'effective state of emergency' and 'a fictitious state of emergency,' reformulates the traditional idea of the state of emergency in order to create a radical and explosive edge that cuts between two opposing positions:

Now we are in a position to better understand the debate between Schmitt and Benjamin. The dispute occurs in that anomic zone which for Schmitt must maintain its connection to law at all costs, whereas for Benjamin it has to be twisted free and liberated from this relation. What is at issue here is the relation between violence and law, i.e., the status of violence as a cipher for political action. The logomachia over anomy seems to be equally decisive for Western politics as the "battle of the giants around being" that has defined Western metaphysics. To pure being as the ultimate stake of metaphysics, corresponds pure violence as the ultimate stake of the political; to the onto-theological strategy that wants pure being within the net of logos, corresponds the strategy of exception that has to secure the relation between violence and law. It is as if law and logos would need an anomic or "a-logic" zone of suspension in order to found their relation to life.

In this void, we can begin to see that migration requires a serious rethinking in relation to nation-state boundaries.

Agamben (2005b) uses certain categories of migrants as examples in illustrating the state of exception/emergency in modern times, and he argues that the state of exception reflects everyday totalitarianism, a practice of governance legitimated by its regular use of force: "Modern totalitarianism can be defined as the establishment by means of the state of exception."

Three elements seem integral to Agamben's argument, and in the course of this paper, these elements will be utilised and expanded:

1. The so-called 'non-integrability' of different categories of migrants
2. The permanent nature of the state of emergency
3. The extensive use of power by liberal democratic governments

Revisiting the 'Agency versus Structure' Debate

Anthropologists have developed the notion of 'ritual passage,' which is a useful way of conceptualising the processes of migration, and in particular clandestine migration and labour. The idea that in some ways migration represents a secular pilgrimage to find paradise (i.e. a better life) is appealing. Filomeno V. Aguilar (1999) argues that there is "human agency amid the structural forces that seem

to overdetermine international labour migration". At the same time, Aguilar also recognises that the routinisation and institutionalisation of migration control is limiting the scope for 'spontaneous human action.' Nonetheless, Aguilar (1999), who draws primarily from empirical studies of Filipina and Filipino workers, is still adamant about the predominance of human agency over structure: Nonetheless, for the individual migrant, leaving the country for the first time to work overseas is irreducible to sheer routine. The alignments of feelings may be predictable, but for each migrant the sensations are fresh. Beyond its established routines and practices, international labour migration can be viewed from the individual worker's perspective as partaking of a ritual character, a rite of passage that also incorporates the element of gambling. (p.98)

Migrants against the State of Exception

The tradition of the oppressed teaches us that the 'state of exception'³ in which we live is the rule. We must attain to a concept of history that accords with this fact. Then we will clearly see that it is our task to bring about the real state of exception, and this will improve our position in the struggle against fascism. (Benjamin, as quoted by Agamben, 2004, p.57)

The most common arguments against immigration are either that countries are too small and therefore need their national culture and heritage protected from outsiders, or more authoritatively, that there are special reasons (i.e. security, public health, economic necessity, employment) justifiably making citizens of the country feel threatened and making them believe that national survival should be ensured by any means necessary (e.g. through the establishment of a 'state of exception'). Yet, as we know from Agamben (2004), Poulantzas (1974, 1979) and Benjamin (1992), in these cases the 'state of exception' turns out to be the rule, not the exception to the rule.

An essential part of the nationalist discourse in some states is urging the 'protection of national culture and heritage' from the 'alien cultures' of migrant workers, as Balibar (1991) has shown. At the same time, some states have recently celebrated multicultural society and diversity. Interestingly, these seemingly alternative modes of reception are not mutually exclusive but are instead strategies that may be employed - and, indeed, are employed - together, but on different groups (and at times even on the same groups in different policy areas, locations, contexts, and time periods).

(1) One response to this state of affairs is using culturalist ideology as a diversion from class conflicts and socio-economic inequality, giving such ideology a functional role in the attainment of the economic benefits of social-national formation. In the neoliberal era, the abandonment of the welfare and social state to free market forces has encouraged the celebration of different cultures so long as those cultures are manageable and law-abiding, and so long as they exercise internal social control. In the end, such celebrations are functional for the economy and society.

(2) But what happens to groups which are outside this band, which fall beyond the acceptable levels of tolerance in a society? A second response to migration involves making the boundary a prohibiting factor and turning cultural arguments into essentialist and exclusivist racist diatribes utilised for political goals. I will speak extensively on this category of response.

(3) A third type of response involves recycling, revamping, and repackaging assimilationism as 'integration,' what Ali Rattansi has called 'new assimilationism.' Essentially, this response is comprised of a number of less enlightened societal paradigms which mandate the integration of non-hegemonic ethnic elements. The 'assimilationist' response is apparent and powerful today, and the very popular public discourses inspired by this model are clearly based on the flawed host-immigrant model whereby a relatively small percentage of temporary migrant workers are considered a threat

3 In another translation, the 'state of exception' is translated as 'state of emergency' (Benjamin, 1992, p.248)

to the fabric of society as a whole. It is interesting that, although the new assimilationist response has been discredited sociologically since the 1950s, many people in positions of power and influence are still operating on such absurd and naïve assumptions.⁴

Also interesting is the fact that the assimilationist response is occurring just as the countries which are party to international conventions (as well as the authorities) have pledged to implement the recommendations of ECRI and fully adhere to the EU Directive and anti-discrimination policy. The idea that immigrants should be put on one side and society should be put on the other in order to find out how the former influences the latter is particularly problematic: it is as if migrants are not part of this world or of this society. A basic sociology textbook has this to say:

The [...] people [...] were troubled and uneasy at the prospect of fresh waves of migrants introducing 'alien' cultures, competing with the native population for jobs, and imposing heavy burdens on the social services. (Richardson & Lambert, 1985)

While this statement could aptly be referring to the level of public debate surrounding migration in many countries today, including the reputedly tolerant Netherlands, Denmark, Sarkozy's France, Brown's Britain, and my native Cyprus, it actually refers to the similar debates taking place fifty years ago - the word before 'people' in the above quotation is 'British,' and among the new Commonwealth immigrants at that time there were thousands of Cypriots.

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Contemporary Migration from China to Kazakhstan in the Context of Global Chinese Migration

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Introduction

The contemporary ‘Chinese miracle,’ which combines rapid economic growth, trade expansion and a huge demographic potential, attracts worldwide interest. Three decades of consistent market reforms first initiated by the Chinese government in 1978 have propelled China into one of top three countries in the world in terms of its share of the world’s Gross Domestic Product (GDP), international trade and foreign direct investment (FDI). Perhaps the most important outcome of this modernisation process is that China is starting to shape the new world order and is emerging as a new pole of the multi-polar world. The presence of Chinese business and migration is increasing throughout the world.

China’s rapid economic growth and its changing geopolitical role in the world are subjects of growing domestic and international debate. Chinese migration is widely studied by economists, sociologists, and political scientists throughout the world; however, there are only a limited number of such studies in Kazakhstan, a country that borders China. The traditional interest in historical and cultural studies, and in the national and regional security of Kazakhstan and Central Asia, respectively, is increasingly being complemented by an interest in exploring economic and trade relations; still, these interests seldom encompass the demographic dynamics, including migration, between China and other countries of the region. For researchers in Kazakhstan, the issues of economic and trade cooperation and the ‘demographic pressure’ of China are especially relevant.

The present paper aims to address a lack of knowledge of contemporary Chinese migration to Kazakhstan. It focuses on the period from 1991, when Kazakhstan gained sovereignty, until the present time, looking at the causes of migration (both in the country of origin and destination), the dynamics and structure of migration, and the characteristics of migration flows. The article places this analysis in the context of the global Chinese population movement and the growth of the Chinese Diaspora.

The paper reflects and summarises the author’s continuous research on labour migration, and other types of migration, in Kazakhstan, Central Asia and China. The methodologies employed included the analysis of official statistics, expert interviews, and applied sociological surveys, some of them pioneering for the region, conducted by the author or under her supervision in 2000-2007.

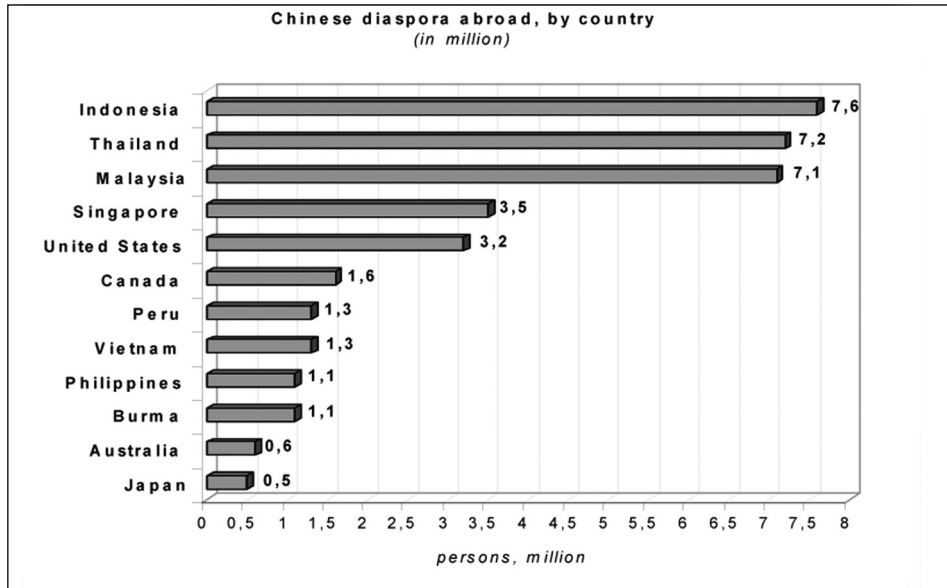
Chinese Migration at the Beginning of the 21st Century: An Overview

Chinese migration goes back many centuries, gradually increasing in the 18th and 19th centuries and further intensifying in the 20th century due to political changes both in China and in the world. This migration gave rise to numerous Chinese Diaspora communities abroad. With the largest population in the world—roughly 1.3 billion persons in 2005— the Chinese Diaspora numbers around 40 million persons, including 31 million in Asia, 5.9 million in North and South America, 1.7 million in Europe, 0.7 million in Africa, and 0.6 million in Australia (Gelbras, 2001, p. 17; 2004; Tong, 2001, p. 28; Larin, 2003, p. 150). This paper uses a broad definition of a ‘Chinese migrant,’ encompassing Han Chinese as well as representatives of non-Han ethnicities of China, and encompassing a range of migration purposes and motivations, from permanent residence to temporary employment to seeking asylum in third countries.

In terms of migration processes, contemporary China is part of the Asian-Pacific Migratory System, and its migration flows are directed predominantly towards South and Southeast Asian countries (primarily to Indonesia, Malaysia, Singapore, Vietnam, and the Philippines), where the Chinese Diaspora is currently concentrated (Diagram 1). In Europe, the largest numbers of Chinese migrants can be found in Russia (450,000 persons), the United Kingdom (297,000 persons), France (231,000

persons), Italy and the Netherlands (both 145,000 persons), Spain (99,000 persons), and Germany (72,000 persons) (Gelbras, 2001, p. 17; 2004; Tong, 2001, p. 28; Larin, 2003, p. 150).

Diagram 1. Chinese Diaspora Communities Abroad at the Beginning of the 21st C



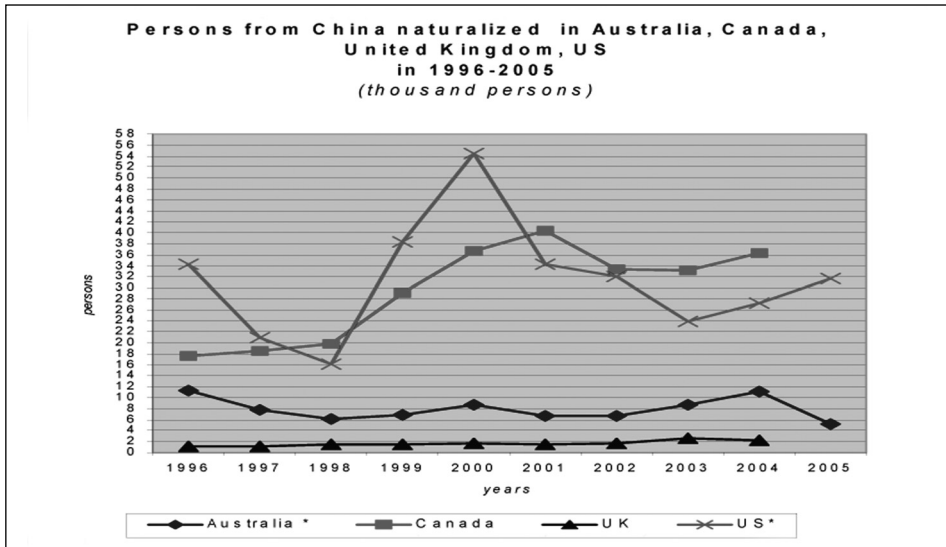
International labour migration from China emerged as a distinct trend beginning at the end of 1970s, when China launched its policy of openness and modernisation. Demographic pressure, a superfluous labour force and unemployment have been, and will continue to be, powerful factors in Chinese internal and international migration. International migration has been substantially increasing each decade since the 1980s; e.g., the number of regular migrant workers doubled between 1995 and 1999, as compared to the period between 1990 and 1994 (IOM, 2003, p. 28)

A rising number of Chinese specialists have been migrating to the United States, Canada, Australia and Europe since the 1980s. By 2000, the number of highly-skilled permanent immigrants from China to the U.S. had reached 45,652 persons (out of a total of 849,807 U.S. legal immigrants) (Ibid, p. 31). Because of this rising tide of skilled worker and professional migration, the Chinese population in Spain increased six-fold between 1994 and 2003 (<http://www.compas.ox.ac.uk/>).

More and more Chinese students are coming to developed countries for their university education, and similarly, more and more highly-qualified specialists and scholars are moving to research institutions and centres for advanced study abroad. According to recent expert estimates, 800,000 Chinese specialists are currently working abroad (<http://www.compas.ox.ac.uk/>).

The share of Chinese in specific migration flows correlates with total migration flows and the sizes of different established Diaspora communities. For example among those Chinese who had been naturalised in OECD countries in 1996-2005, the largest share was in the USA (313,300 persons), Canada (265,000 – up to 2004), Australia (79,100) and the United Kingdom (15,800 – up to 2004) (<http://www.thechinaperspective.com/>). The size of the Chinese Diaspora community in these countries is 3.2 million, 1.6 million, 0.6 million, and 0.3 million, respectively (Graph 1).

Graph 1.¹ The Number Chinese Migrants (In Thousands) Naturalised in Australia,* Canada, the United Kingdom, and the United States:² 1996-2005³



While Chinese migration is still predominantly directed towards the countries of the Asian Pacific, new trends in migration patterns are emerging. In particular, Chinese migration is experiencing a rise in both permanent and temporary, and legal and illegal migration. Chinese (particularly from Fujian and Zhejiang provinces) constitute a significant irregular migration flow to and within the European Union. According to estimates by Chinese experts, China provides the largest number of East Asian irregular immigrants to Europe (Chin, 2003).

The role of Diaspora communities and migrants' networks in organising migration and facilitating business has increased significantly. Diaspora communities have become the primary reference point for newly-arrived immigrants, helping them to find accommodation and jobs, providing them with education and healthcare, and thus facilitating their adaptation. As far back as the 19th century, 'Chinatowns' could be found throughout the Asian Pacific, North America, Australia and some parts of Europe. Today, Chinatowns thrive in the United Kingdom, Germany and the Netherlands, and even though these communities are relatively small, their existence proves that more and more Chinese communities and businesses are realising the benefits of a 'Go global' economic strategy.

Another feature of China's current development is the increasing demand for a highly-qualified workforce. This demand pushes forward the strategies of 'brain gain' and 'brain circulation' throughout Chinese Diaspora networks, promoting advanced knowledge and the transfer of new technologies to China (Biao, 2004).

The ethnic heterogeneity of Chinese migrants, along with the fact that they tend to live within a community structure that remains relatively closed, raises further issues about whether they should adapt and integrate, or whether they should focus more on preserving their own culture and traditions.

1 This graph was designed using data from the following sources: U.S. Citizenship and Immigration Services, the Australian Department of Immigration and Multicultural Affairs, Citizenship and Immigration Canada, the U.K. Immigration and Nationality Directorate. Refer to <http://www.thechinaperspective.com/>.

2 In Australia and the United States, the data is for the fiscal years 1996-2005.

3 In Canada and United Kingdom, the data is for the years 1996-2004. In 2005, Russia ranked fourth among oil exporters in China, with an output of 8 million tons (Ostrovskiy, 2007, p. 149).

Contemporary Migration from China to Kazakhstan: Causes, Patterns and Perspectives

Chinese immigration to Kazakhstan has been growing since the period around the end of the 20th and the beginning of the 21st century. This rising tide of immigration has been caused by a combination of 'push' factors in the country of origin (China) and 'pull' factors in the country of destination (Kazakhstan); these factors, which determine the main directions of migration flows between the two countries, range from the economic (including the situation of the labour market), to the social and demographic, to the political and legal, to the geographic and historical, to the ethnic and cultural.

China's economic presence in Central Asia has been growing steadily, and it has been playing an increasing role in international trade and economic relations, especially with Kazakhstan. Over the past seven years, trade turnover between the two countries has skyrocketed, both in terms of growth rate and absolute values. In the period between 1999 and 2005, the export of goods from Kazakhstan to China increased by a factor of more than 5.2; imports from China to Kazakhstan increased by a factor of 15.7; and the overall commodity turnover increased by a factor of 6.7. Over the past three years, China has consistently ranked third among Kazakhstan's foreign trade partners. Thousands of Chinese traders and businessmen have come to Kazakhstan to trade in Chinese-made consumer goods.

China's demand for energy resources has been growing over the past few years, and its urge to diversify its energy supplies (50% of which currently come from Africa, and 22% of which currently come from the Middle East) has led to interest in the raw materials of its neighbouring countries, Russia and Kazakhstan (Chunzhun, 2003, as cited in Huashen, 2005, p. 33).⁴ In June 2003, Kazakhstan's President Nursultan Nazarbayev and China's Chairperson Hu Jintao signed a number of accords, including the Agreement on the Program of Cooperation between Kazakhstan and China for 2003-2008, which identified cooperation in the oil and gas sector as a strategic opportunity. Now, the construction of an oil pipeline between Kazakhstan and China is the largest bilateral project to date. Within the framework of the above-mentioned cooperation agreement, the Atasu-Alashankou pipeline (one section of the larger project) was constructed in December 2005, financed by the Chinese (<http://www.inform.kz>).⁵ The construction of the second Kazakhstan-China oil pipeline, planned for 2011, is initially expected to increase oil-carrying capacity to as much as 10 million tons annually, and eventually to as much as 20 million tons per year (<http://russian.xjts.cn/>).⁶ Such projects and joint ventures stimulate an ever-increasing labour migration flow from China to Kazakhstan.

Thus, in addition to Central Asia, and especially Kazakhstan, offering attractive markets for Chinese goods, Central Asia is a major potential energy provider to China, which is willing to invest in the region's development and infrastructure. This investment provides the economic stimulus for increased cooperation between China and Central Asian countries, and thus it is not surprising that China was the first country to back Kazakhstan's accession to the World Trade Organization.

Demographic factors play an increasing role in migration from China to Kazakhstan. China has the largest population in the world, which means that it has significant labour resources and therefore significant labour mobility potential. According to the U.N.'s prognosis, China's reproductive age population (those aged 20 to 50) will reach 660 million by 2010 and will total 1.49 billion persons in 2025 (UN Population Division, 1998). China's demographic and labour potential significantly exceeds that of Kazakhstan. The U.N. prognosticates that Kazakhstan's population (which was 15.1 million in 2005) will only reach 15.4 million in 2025 (UN Population Division, 2002). These statistics testify to the serious demographic pressure being applied by Kazakhstan's eastern neighbour.

4 Chunzhun, T. (2003). Analysis of oil imports to the PRC during 2002. *Economy of the Oil Industry of China*, 3 (26). (in Chinese language). (as cited in Chzhao Huashen. (2005). *China, Central Asia and Shanghai Cooperation Organization*. Workbooks. Moscow: The Carnegie Moscow Center)

In 2005, Russia ranked fourth among oil exporters in China, with an output of 8 million tons (Ostrovskiy, 2007, p. 149)

5 The amount of oil supplied by Kazakhstan after the launch of the Atasu-Alashankou oil pipeline reached 1.3 million tons in 2005, and 1.7 million tons in 2006. Thus, Kazakhstan's share in China's oil imports is approximately 1.5%.

6 According to the latest (October 2007) figures from China, 5.29 million tons of crude oil was imported from Kazakhstan via the China-Kazakhstan oil pipeline (<http://russian.xjts.cn/>).

China is currently witnessing a favourable period marked by a rapid increase in its working-age population. According to Chinese experts, up to 190 million persons will reach working age between 2000 and 2015, with about 12 million persons (i.e. almost 1.5 times more than the entire working-age population of Kazakhstan) entering China's labour market every year. Ongoing economic structural reforms in China will undoubtedly contribute to the stabilisation of the labour market, but the number of new jobs created each year (10 million) will not be sufficient in the event that the demand for jobs is 2.5 times as high as the supply. Workforce redundancy and unemployment (estimated to exceed 90-130 million persons in urban areas alone) (Mikheev, 2005, pp. 297-298) are powerful 'push' factors spurring migration within and from China.

In Kazakhstan, the large-scale emigration of the 1990s had a negative demographic impact on the labour market. Since 1992, more than 3.1 million persons (out of a total population of 16.5 million) have emigrated from Kazakhstan, with the net migration being 2.0 million persons to date. In addition, 63-65% of the emigrants who left Kazakhstan were of working age, and around 45% of those older than 15 had a university degree or a professional certificate. Consequently, Kazakhstan now suffers from the lack of a labour force in industry, agriculture, education, health and other sectors (Sadovskaya, 2001a, pp. 19-20; 2005). During Kazakhstan's economic revival in 2000-2006, the need for highly qualified specialists and skilled workers significantly increased.

According to forecasts by Kazakhstan's Statistics Agency, if the current, favourable economic situation marked by high annual growth rates around 10% holds, the labour demand in Kazakhstan will reach 1.2 million by 2015. This, of course, will strengthen the 'pull' factors for potential immigrants to Kazakhstan.

The next important factor stimulating migration movements between China and Kazakhstan is a steadily developing international legal framework. Many bilateral agreements on economic cooperation and trade, energy and investment, border and customs control, and a visa regime have been signed over the last fifteen years, all of which have helped to set up a legal basis for the development of long-term cooperation between the two countries. The first mutual travel agreement was signed in Moscow between the USSR and the People's Republic of China during the perestroika period in July 1988. This agreement opened the doors to the travel of Chinese citizens to the USSR.

At the time, Kazakhstan was part of the Soviet Union, and the neighbouring Xingjian-Uyghur Autonomous Region (XUAR) was chosen as its principal partner. In July 1991, the Kazakh Soviet Republic and XUAR signed the Agreement on Principles and Spheres of Development of Cooperation. The parties undertook to create favourable conditions for the movement of goods, services and capital and to strengthen economic cooperation (Tokaev, 2000, p. 334). After the break-up of the USSR, the People's Republic of China and the sovereign Republic of Kazakhstan signed a number of bilateral agreements detailing the relations and communication between the two countries. One of the agreements signed in 1992 stipulated visa-free travel for owners of all types of passports, prompting the intensification of trade migration from China to Kazakhstan (this migration peaked in the years 1989-1993).

According to Kazakhstan's Border Services, between 150 and 200 Chinese citizens entered Kazakhstan daily as 'tourists' in the years 1993-1995, with 30 to 50 not coming back, i.e. settling in the country or leaving for other ex-Soviet or Western countries. Thus, the official estimate is that over these three years no less than 130,000-150,000 Chinese citizens used Kazakhstan as country of destination or transit (Sadovskaya, 2001a, pp. 175-176). The uncontrolled entry of a large number of Chinese nationals and their unregistered business activities increased the 'shadow economy' sector, caused resentment among various population groups, and generated fears of the 'Sino-isation'

of Kazakhstan. Because of this, a new agreement ('on citizens' business travel') limiting visa-free travel to holders of diplomatic and service passports was promptly signed in October 1993. This substantially changed the previously uncontrolled nature of trade and transit migration between the two countries.

Another factor 'pulling' Chinese migrants to Kazakhstan relates to the geography of the two countries: namely, their proximity and the 1,782-kilometre-long border they share, connecting the western Xingjian-Uyghur Autonomous Region of China and the East Kazakhstan and Almaty oblasts (provinces) of Kazakhstan.

Furthermore, there is a Kazakh Diaspora community in China whose history is rooted in the centuries-old relations between China and the Russian Empire/Soviet Union (Sadovskaya, 2007a; Syroezhkin, 2003). In fact, the largest Kazakh Diaspora abroad (numbering 1.3 million persons) lives in China and 99% of this community lives in the XUAR, comprising about 7% of the province's total population. Uyghurs, Xingjian's indigenous ethnic group, comprise 8.8 million persons, 45.6% of the province's population (2003). There is also a 226,500-person Uyghur Diaspora community in Kazakhstan which comprises 1.5% of the country's population (2005) (Brief Statistical Collection, 2005, p. 11). The multiethnic composition of Xingjian contributes to a pattern common in many migration flows, in which migrants move to those locations in destination countries where the relevant Diaspora community resides, thereby stimulating cross-border migrations and frontier trade and promoting the development of small businesses in the neighbouring regions of both countries. In terms of Kazakhstan and the XUAR of China, cultural, linguistic and religious similarities, as well as the age-old tradition of trade and cooperation along the Silk Road, are all favourable factors facilitating migration between the two populations.

In regards to state repatriation policy in Kazakhstan, ethnic Kazakhs do repatriate from China to Kazakhstan; however, the history of state repatriation is beyond the scope of the present article, which focuses on key migration flows from the late 1980s to 2006.

Dynamics, Main Patterns and Characteristics of Migration Movements

The development of trade and economic cooperation has led to increased Chinese immigration to Kazakhstan and expanded spheres of employment for migrants. The author has developed a classification of Chinese migration by the migrants' primary employment sector, according to which the evolution of the main patterns of migration can be traced as follows:

- trade (from the late 1980s, through the 1990s and the beginning of the 2000s);
- energy (from the late 1990s to the early 2000s);
- construction (from the first half of the 2000s);
- transport (in the mid- and long-term perspective);
- Chinese and joint ventures in the small production, service and other sectors, generating a growing flow of labour migration (from the 1990s till now).

The dynamics of the key migration patterns depends on the type of migration movements involved and can be traced as follows:

Patterns of temporary migration:

- (1) commercial (trade or 'shuttle') migration, and
- (2) labour immigration, both legal and irregular,

Patterns of permanent migration:

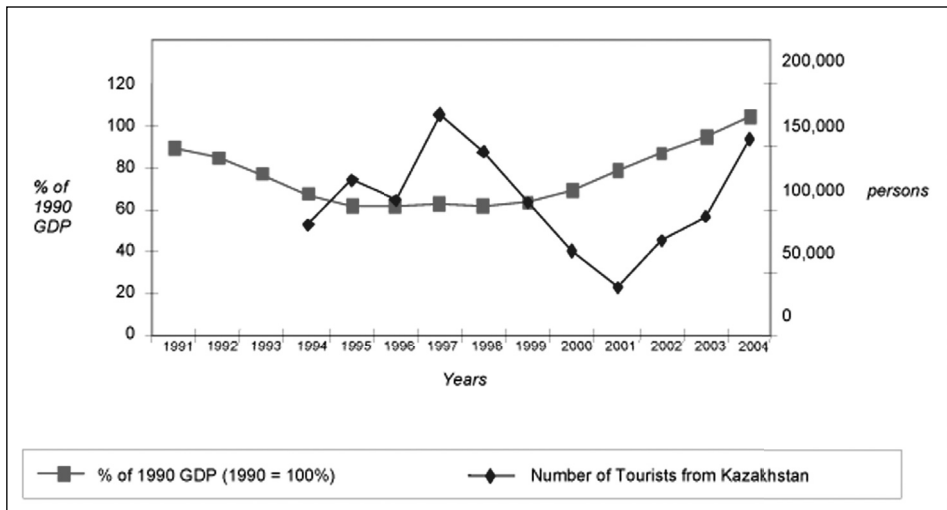
(3) permanent residence migration, represented by the repatriation of ethnic Kazakhs from China
The Chinese migration to Kazakhstan is characterised by diverse migration flows, similar to those from other countries; however, the author’s analysis reveals a number of characteristics specific to migration from China:

- an increase in the number of migrants at the beginning of the 2000s;
- a diversification of migration flows;
- growth of both an ‘officially’ recruited labour force and irregular labour immigration;
- the presence of such a specific type of migration as ‘commercial’ (trade) migration, or ‘shuttle trading;’
- bi-directional migration flows between the two countries (China and Kazakhstan);
- the increasing role of Diaspora communities as well as ‘social networks’ and ‘migrant networks’ in the organisation of migration and business, and other specificities;
- the ethnic heterogeneity of migration flows (unlike its migration flows to other countries, Chinese migration to Kazakhstan is represented not only by Han Chinese, but also by Kazakhs, Uyghurs, and other ethnicities).

**The Main Patterns of Contemporary Migration from China to Kazakhstan
‘Commercial Migrations’**

The first stage in the migration movement between China and Kazakhstan was marked by commercial migrations or the ‘shuttle trade.’ Commercial migration essentially consists of migrants purchasing goods in foreign countries, bringing them back to their country of origin, and making a profit by selling them at a higher price. A distinctive trait of Kazakh-Chinese commercial migration in Kazakhstan is that it has been a bi-directional process. Commercial migration between China and Kazakhstan started in the late 1980s with the mass travel of Chinese citizens, and it was strengthened in the 1990s when, during a period of crisis and stagnation in Kazakhstan, a counter flow of Kazakh individual small businessmen started bringing goods home from China. The importance of the shuttle trade in the economic life of Kazakh citizens is evident in the following graph (Graph 2).

Graph 2. The Dynamics of GDP and International ‘Tourism’ from Kazakhstan between 1991 and 2004 (Number of Tourists versus % of 1990 GDP)



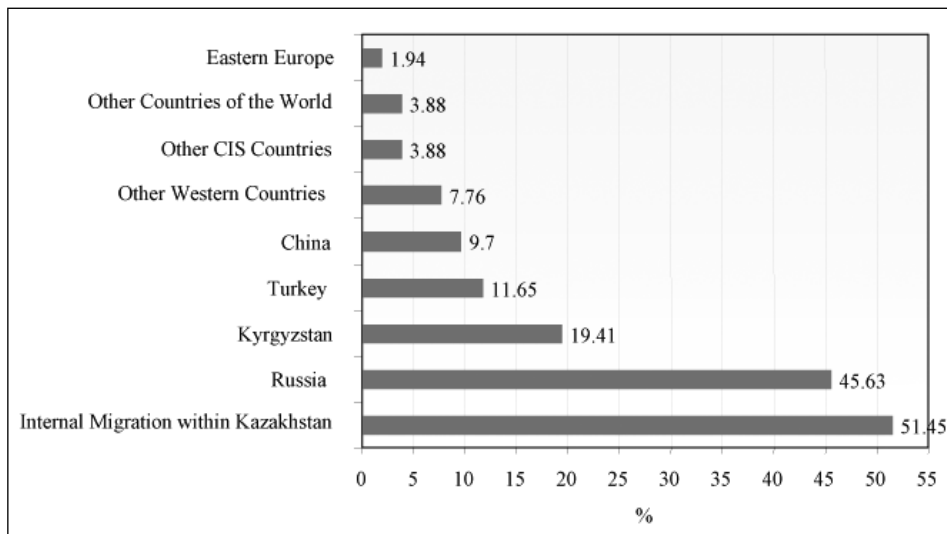
Following Kazakhstan's economic slowdown in the early 1990s (GDP fell by 30% between 1990 and 1995), the stagnation period of the mid-to-late 1990s brought about a surge in the shuttle trade, with a peak of 174,071 Kazakh international 'tourists' visiting China in 1997. The fall in the number of Kazakh tourists in 2001 has been attributed to the abolition of the visa exit regime in July of that year, the gradual improvement of the social and economic situation in Kazakhstan, and the gradual institutionalisation of shuttle trading. Since 2002, the rise in the number of tourists has been attributed to the development of 'traditional' or 'classic' tourism as well as to Kazakh business ties with Chinese counterparts.

The commercial migration of the 1990s was 'informal' in character: shuttle traders were not duly registered as individual entrepreneurs with the administrative bodies of Kazakhstan. This is not surprising, given that the shuttle trade emerged during an economic crisis, when finding work was a matter of a survival and the observation of laws only a secondary priority. Commercial migration remained the dominant type of Kazakh labour migration in the 1990s, with a wide range of destination countries in Eastern and Western Europe; the U.S. and Canada; Southeast Asia; and the Middle East, with Turkey being among the most popular destinations (Sadovskaya, 2001b; Zayonchkovskaya, 2003).

The large-scale nature of commercial trips by both Chinese and Kazakh citizens is supported by the findings of a representative sociological survey led by the author in 2005.⁷

According to the results of this survey, 15.8% of Kazakhstan's urban population was involved in labour migration in the years 1992-2005, with 32.6% of those involved in the shuttle trade. In addition, 9.7% of all respondents indicated that they had travelled to China (Sadovskaya, 2007b) (Diagram 3).

Diagram 3. Commercial Migrants from Kazakhstan in 2005, by Destination Country (in %)
 N = 2,000



⁷ This sociological survey, which studied labour migration among the urban citizens of Kazakhstan, used the Omnibus method for a representative sampling of 2000 respondents. The survey covered 27 Kazakh cities with populations over 50,000 persons. The sampling structure included multi-stage stratification and utilised a random selection of respondents in the final stages; the selection was representative in terms of gender, age, place of residence, size and type of locality. The survey was based on personal telephone interviews with respondents aged 16 and older. The sample error did not exceed 5.0%. The project was conducted by GfK Kazakhstan in February 2005 and was funded by the J. and K. McArthur Foundation

Chinese shuttle traders during this period were also individual entrepreneurs, normally specialising in clothes and footwear made in small artisan workshops. Though often of a low-quality, their goods were always in high demand during the 1990s economic crisis in Kazakhstan.

There is a lack of reliable data as to the numbers of Chinese and Kazakh citizens engaged in the shuttle trade between the two countries; however, a glimpse of the extent of the trade can be gauged from official tourism statistics. According to XUAR data, international tourism to Xinjiang increased by a factor of 3.4 between 1990 and 2002, with the share of tourists from CIS countries increasing from 25.6% to 58.8% (Urumqi, 1999, p. 601; 2003, p. 614, 617; 2004, p. 536, 538).

According to a XUAR Statistics Agency report, between January and November 2007, the number of international tourists visiting Xinjiang reached 420,300, which is 72,200 more visits when compared to the same period in 2006. Tourists from Russia led in the numbers, with 143,000 visits—a 50% increase from the previous year and 34% of the total number of international tourists. After Russia, the increase in tourists was most remarkable from Kazakhstan and Kyrgyzstan, which supplied 70,900 and 21,600 more visitors, respectively (<http://russian.xjts.cn/>).

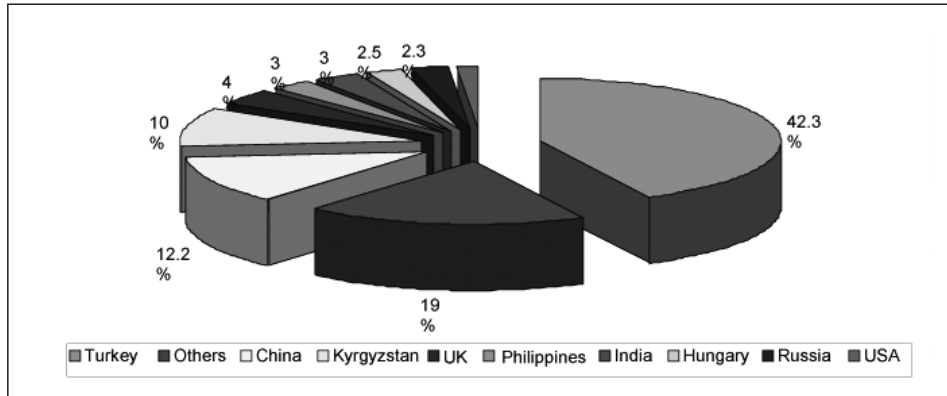
According to Kazakhstan's Statistical Agency, out of the 87,866 international tourists from Kazakhstan in 1994, 16,587 persons (18.9%) went to China. In 1995, these figures rose to 123,699 and 25,059 (20.3%), and in 1998, they rose again to 145,716 and 30,838 (21.2%), respectively (Sadovskaya, 2001b, p. 211). A comparison of official statistics from the XUAR and Kazakhstan reveals that the share of Kazakh tourists making up the total number of international tourists in Xingjian varied from 25-30% throughout the 1990s.

According to expert estimates, up to 80-90% of Kazakhstani tourists in the 1990s engaged in 'shop tourism.' Shuttle traders and businessmen would go on 3-5 day 'shop tours' to Urumqi (XUAR's administrative centre), Beijing and Shanghai; they would also go on one-day trips to areas close to the border check points between the two countries. This shop tourism was facilitated by the introduction of a one-day visa-free entry to China for Kazakhstani citizens.⁸

When crossing the Chinese border, Kazakhstani shuttle-traders and individual businessmen indicated 'private' or 'tourism' as the purpose of their visit. Between 1994 and 2006, China remained one of the three most visited non-CIS countries for Kazakhstani commercial migrants. In the 2000s, the proportion of Kazakhstani persons involved in commercial migration started to decrease due to the gradual institutionalisation of business transactions. Shuttle traders gave way to intermediary firms specialising in transport and trade. Further into the 2000s, the development of electronic communication and related technology, as well as the institutionalisation of the trade business, allowed Kazakhstani citizens, for example, to order goods online.

Labour Immigration from China to Kazakhstan

After the stage marked by commercial migration, the next stage of migration movement between China and Kazakhstan was characterised by the official recruitment of foreign labour in Kazakhstan (which started in the early 1990s) as well as by the spread of irregular migration in the 2000s. The official employment of foreign labour in Kazakhstan goes back to 1993, when the government allowed 2,100 foreign workers to be hired, including 559 from China (27% of the entire foreign workforce). Between 1993 and 2003, the foreign labour figures in Kazakhstan remained low, and at the same time the Chinese share of the workforce remained low, too. But between 2004 and 2006, the foreign labour numbers rose considerably, reaching 40,897 in 2006. The majority of Kazakhstan's foreign specialists and workers come from Turkey, China, Russia, the U.S., and the United Kingdom (as cited in Sadovskaya, 2007a)⁹ (Diagram 4).

Diagram 4. Recruitment of Foreign Labour in Kazakhstan, by Percentage of the Whole for Different Countries of Origin (2006)

Increased economic cooperation between China and Kazakhstan in the early 2000s, boosted by a number of agreements and the construction of the oil pipeline, gave a new impetus to workforce flows, which is manifest in the number of Chinese specialists and workers who have recently migrated to Kazakhstan. In 2006, 5,008 persons (12.2% of all foreign workers) in Kazakhstan were from China, 9 times the number of Chinese workers in Kazakhstan in 1993, and 3.4 times the number who were in Kazakhstan in 2004 (as cited in Sadovskaya, 2007a).¹⁰

The regional structure of Chinese migrant employment is centred in the south (Almaty city and Almaty oblast) and the west (Aktobe, Atyrau and Mangistau oblasts) of Kazakhstan. The licensed Chinese workforce in Astana, the new capital of Kazakhstan, was among the largest in 2006. The main economic sectors employing Chinese workers are mining (oil and gas), construction, trade, small industrial production and service (including banks, hotels, restaurants, hospitals, etc.). The 'official' Chinese workforce is comprised primarily of Han Chinese employed by Chinese and joint ventures.

Information on Chinese and joint ventures operating in Kazakhstan is inconsistent, which has to do both with the shortcomings of national statistics on small and medium-sized enterprises, and also with the peculiarities of their functioning (many of these enterprises set up and close down quickly, or do not submit tax reports, or are not located at their registered addresses, etc.). According to one recent assessment, over 20 Chinese companies, 61 joint ventures and 615 companies using foreign capital are accredited in Kazakhstan. These companies are primarily engaged in oil and gas mining and infrastructure, construction, and the production of textiles, plastic and metal ware (Nesterenko, 2003).

In many respects, the emergence of Chinese businesses in Kazakhstan has followed a similar path to business development in other post-Soviet countries, particularly Russia. According to Russian experts, labour migration from China is an integral part of China's strategy of global economic expansion because it encourages Chinese business abroad (Gelbras, 2001, 2004). According to the so-called 'transnational management' doctrine, Chinese migration to Kazakhstan is designed to help the geopolitical expansion of China through the formation of wide-ranging Diaspora communities and small businesses.

So far, Chinese migration to Kazakhstan has been primarily of a temporary nature; it has not aimed at the permanent relocation of Han Chinese. Some Kazakh experts point out that the strategy of small and medium-level Chinese entrepreneurs in Kazakhstan has been to acquire start-up capital

9 Data from the Ministry of Labour and Social Protection of the Republic of Kazakhstan, 1993-2007.

10 Data from the Ministry of Labour and Social Protection of the Republic of Kazakhstan 1993-2007 Statistics.

and then return home and expand their business or move to Western Europe, the U.S., or Canada. Nonetheless, the Chinese are establishing a greater and greater presence in Kazakhstan, and because Chinese businesses tend to employ primarily Han Chinese staff, as Chinese-owned businesses and joint ventures expand, the number of Chinese labourers they employ is likely to grow.

It should be noted that the increase in Chinese migration to Kazakhstan is due to a rapid increase in the spontaneous unregulated flow of labour migrants rather than to an increase in legally employed Chinese labour. Migrants often enter Kazakhstan legally, but then they start working without a formal employment contract (often just by oral agreement), which makes them illegally employed. Such irregular labour immigration remains largely undocumented, but as a rule it tends to increase in proportion to increases in the number of licensed labourers employed in any given destination country.

According to the National Security Committee's Border Service statistics, the number of arrivals from China to Kazakhstan in 2000 was 46,000, and for 10 months of 2006, the number was 103,700, reflecting an increase of 2.3 times over 6 years (as cited in Sadovskaya, 2007a).¹¹ However, there were only 5,008 licensed Chinese specialists in Kazakhstan in 2006. Of those Chinese who come to Kazakhstan for work (as opposed to those who come for diplomatic, business, tourism or private reasons), a majority are employed without signing a contract or agreement. Such illegal employment negatively affects Kazakhstan's labour market, makes it more difficult to regulate migration processes, and poses security threats to the country. Because of these consequences, irregular migration requires further study and policy work.

Repatriation of Ethnic Kazakhs from China

Another migration process that started in the early 1990s and has increased significantly since 2000 is the repatriation of ethnic Kazakhs (oralmans). Kazakhstan's legislation defines oralmans as "foreign nationals or stateless persons of Kazakh descent, who were permanently residing abroad at the time when the Republic of Kazakhstan became sovereign and who have come to Kazakhstan to permanently reside here" (<http://www.zakon.kz>).¹² This process constitutes the main direction of Kazakh migration: between 1991 and 2005, 481,400 ethnic Kazakhs immigrated to Kazakhstan, mainly from CIS countries such as Uzbekistan, Turkmenistan and Russia but also from some non-CIS countries, particularly Mongolia and China.

An annual immigration quota for oralmans was established in 1993, and Chinese Kazakhs have been included in the quota since 1994. Even though this quota was gradually reduced throughout the 1990s (from 500 families in 1994 to 40 families in 2001), it was never fully met. However, in the 2000s, due to the improving economic situation of Kazakhstan, the permanent repatriation of ethnic Kazakhs has considerably increased. According to the Migration Committee under the Ministry of Labour of Kazakhstan, the cumulative number of oralman arrivals from China was 4,293 in 2002 while in 2004 and 2006, 13,190 and about 37,788 oralmans arrived in Kazakhstan, respectively (as cited in Sadovskaya, 2007a).¹³

Kazakh repatriates from China tend to settle in the Almaty and East Kazakhstan oblasts, adjacent to China, with a limited number living in the South and Northeast oblasts. Kazakhs from China usually know both Kazakh and Chinese, and some of them try to find jobs at Chinese or joint ventures in Almaty or the western region. The integration of the repatriates is often complicated because they prefer to settle compactly and preserve their customs and traditions, and it is also slowed by the fact that oralmans from China predominantly use Arabic script for writing Kazakh, which makes it more difficult for their children to study in Kazakhstan's schools.

11 Data from the Border Service of the National Security Committee of the Republic of Kazakhstan, 2000-2006.

12 December 1997, Law 'On Migration' and March 2002 Amendments to the Law 'On Migration.'

13 Archives and Current Data from the Migration Department of the Ministry of Labour and Social Protection of the Republic of Kazakhstan (1991-1997). Agency on Migration and Demography (1997-2004), Migration Committee of the Ministry of Labour and Social Protection of the Republic of Kazakhstan (2004-2007).

We may predict that 'social networks' and 'migrant networks' will play an increasingly-active role in mediating between newly-arrived ethnic Kazakhs and the Kazakh Diaspora community in the country of origin (China). This trend was first observed in the 1990s. When Kazakhs and Uyghurs, along with Han Chinese, all arrived in Kazakhstan from China to trade and start small businesses, Kazakhs and Uyghurs in the country of destination (Kazakhstan) formed informal networks to help their ethnic groups' immigrants with commerce and business matters of various kinds. Similarly, small Han Chinese Diaspora communities and emerging infrastructure in Kazakhstan may facilitate Chinese immigration to Kazakhstan in the future.

Chinese Migration to Kazakhstan: Challenges and Perspectives

The contemporary period of migration movements between the Republic of Kazakhstan and the People's Republic of China goes back to the late 1980s. Chinese migration to Kazakhstan is set to increase in the mid- and long-term range due to a number of reasons which were analysed above. Current and planned joint infrastructural projects (including energy, international trade and transportation projects) will further shape the industry and professional structure of the Chinese workforce in Kazakhstan. Undoubtedly, economic and trade expansion, as well as the complex socio-demographic processes in China, make Chinese migration one of the key challenges for Kazakhstan in the decades ahead.

It is still too early to assess the scope of Chinese immigration's influence on the ethno-social structures of Kazakhstan. Chinese migrants have not formed any Chinatowns or autonomous communities in Kazakhstan, and the issues of adaptation are not prominent due to the largely time-bound nature of Chinese migration. Kazakhstan's Ministry of the Interior attempts to enforce strict controls over immigration flows from China. A number of small Chinese 'trade minorities' began to emerge in Kazakhstan in the early 1990s (following the growth of the shuttle trade); however, their composition remains fluid.

Chinese economic involvement in Kazakhstan is accompanied by a number of conflicting trends and concerns. Adopting transnational economic strategies, Chinese businesses and economic migrants have expanded trade with Kazakhstan; however, very little is known about the number, composition and other characteristics of these Chinese entities, and little is known about their impact on the development of Kazakh small and medium-size business.

China's huge demographic potential and the increase of its migration flows to Kazakhstan need to be considered against the background of relatively high unemployment in Kazakhstan (at around 8.1% in 2005) and a large share of self-employment (more than 30% of the overall workforce). This situation has the potential for stirring up public resentment and alarmism in Kazakhstan. It is not surprising that a recent sociological survey found that 24% of urban Kazakhstani residents believed that migration from China, by increasing competition, will have a negative impact on Kazakhstan's labour market; it is also not surprising that only 7% of respondents stated that they believe Chinese migration will address the deficit of workers and specialists in Kazakhstan and that its impact will therefore be positive (Sadovskaya, 2007c).

Chinese immigration to Kazakhstan has a specific impact on interethnic relations in Kazakh society, accompanied as it is by a number of 'myths.' These myths play upon concerns regarding the 'influx of Han Chinese,' their 'massive obtaining of Kazakhstani citizenship,' their 'purchase of property,' the 'rapid growth of inter-ethnic marriages,' and so on. Such fearful ideas persist despite figures that show them to be untrue; according to Kazakhstan's own Ministry of the Interior, Chinese migrants do not naturalise en masse, nor do they marry Kazakhstan's citizens in large numbers (in fact, only 74 inter-ethnic marriages have been recorded since 1991). Chinese migrants in Kazakhstan are less

likely to commit crimes compared to migrants from other countries and even compared to Kazakh citizens themselves.

One of the explanations for this phenomenon is that emerging stereotypes are deeply rooted in the collective historical memory of the Kazakh people. Another reason is the legacy of the 'Iron Curtain' and the decades of distrust and tensions that built up between China and the USSR during that time, which starved the people of both countries of personal and business contacts. The mass media's provocative, sensationalist treatment of the subject may play a role in inter-ethnic mistrust, too. Finally, a low level of shared language proficiency is also a significant obstacle in forming mutual contacts.

As considered above, major problems of Chinese migration to Kazakhstan include poor entry regulation and the illegal employment of the Chinese workforce. These problems call for the development of a national legislative framework and international cooperation on the issue of migration management. Further studies of migration movements (as well as the impact of migration dynamics on economic development, policy and society) are required as well.

Many of these problems and challenges are internal to Kazakhstan, and they are not necessarily problems caused by Chinese international migration per se. Responding to the challenges posed by all types of international migration, including migration from China, entails finding solutions from within. To this end, Kazakhstan needs to address issues such as unemployment and self-employment; small and medium-size business development; education and advanced professional education; and other national policy issues.

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**Diasporas with Nowhere to Go:
The Survival of the Ahıska Turkish and Korean Diasporas in
Post-Soviet Kazakhstan and Uzbekistan**

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Introduction

After the collapse of the Soviet Union, all of the newly independent governments in Central Asia aimed at nationalising or indigenising the territories under their control and rectifying what many saw as decades of dominance by foreign actors. These ‘titular states,’ such as Kazakhstan and Uzbekistan, made great efforts to undertake various nation-building projects. For individuals in many nationalising states in Central Asia, knowledge of the language became increasingly important in order to obtain, maintain and advance their career and position in society. In other words, members of the titular nation-shad somewhere to go and settle after the collapse of the Soviet Union the non-titular groups, Jews, Volga Germans, Koreans, Crimean Tatars, Ahiska Turks,¹ found themselves in the middle of nowhere. These Diasporas were perhaps the main losers in the nation-building process in post-Soviet Central Asia due to their powerlessness and vulnerability. Unlike the Russian Diaspora, these ethnic groups had been forced to migrate to Central Asia against their will (they were deported by the Soviet regime), and to be sure, their earlier forced migration, as well as decades of Sovietisation, provided a serious challenge to the primordial notion of nationality in the titular states.

This work is an analysis of two Diaspora groups in Central Asia, Koreans and Ahiska Turks, both of which experienced Stalin’s brutal deportations and both of which are now facing new challenges in the nationalising states. These small ethnic groups have no powerful protector to whom they can appeal for help and little chance to return to their homelands, which increases their sense of anxiety and vulnerability even though they have not been harassed or victimised in any discernible way. The objective of this work is to examine the survival of these ethnic minority groups and the existence of Diaspora nationalism in the nationalising Central Asian states. Based on fieldwork carried out by this author in 2003 and 2005, it can be argued that many members of these Diasporas are ambivalent about life in Central Asia; they express both affection and disaffection. As Uehling (2001) argues, for many Diasporas of Central Asia, the ideologies of home, soil, and roots fail to line up with the practicalities of residence so that territorial referents and civic loyalty are perplexingly divided (p.394). Diaspora identity contains disparate and even contradictory elements and is constantly evolving in reaction to changing circumstances. In short, one’s degree of ‘diasporaness,’ or ‘diasporacity,’ is not static. This study will examine two different Diaspora groups, aiming to clarify certain aspects of the diasporaness confusion and offering a window into the much broader process of preserving Diaspora identity. In addition, this study aims to illustrate how ethno-nationalist sentiments in the Diaspora setting can draw their strength, ideas, material support, and simply nationalist enthusiasm from homelands. Above all, the task of this inquiry is to examine the sources of diversity within Diaspora relations and to move toward an analysis of the patterns of interaction among trans-border ethnic groups, their traditional ethnic homelands, and the states in which they reside.

The Ahiska Turks and Koreans in Kazakhstan and Uzbekistan

Throughout the Soviet period, Koreans and Ahiska Turks, and perhaps all peoples of the Soviet Union experienced great losses in the realm of national culture. Due to Soviet ideology and a policy encouraging the ‘merging of nationalities,’ Koreans and Ahiska Turks were forced to downplay their national specificities and culture.

On the one hand, the Korean Diaspora adopted a lifestyle that was thoroughly pro-system and assimilative. In a relatively short period of time after their deportation, the Korean Diaspora developed a *modus vivendi* of adapting to the harsh circumstances of life in exile and integrating into a Russian/Sovietised society. From a virtually all-agrarian population, Koreans were transformed into a well-educated (in Russian) urban community. Many [ex-] Soviet Koreans, especially intellectuals, argue that the Korean people had no choice but to move in step with the changing environment and to focus their energies on securing a stable socio-economic base. The Korean Diaspora adopted

¹ The term ‘Ahiska Meskhetian Turk’ (or Meskhetian Turk in Western and Russian literature) is controversial. In this article, the group in question will be referred as the ‘Ahiska Turks’ since it was the appellation used by the group members themselves during the fieldwork carried out in Kazakhstan and Uzbekistan.

a lifestyle that was thoroughly pro-system and assimilative. Thus, before perestroika, as German Kim and Valeriy Khan (2001) note, the Koreans in the Soviet Union barely had the opportunity to get their bearings (p.114). In other words, the Soviet Koreans didn't pay much attention to a Korean national revival, returning to their homeland other series of movements for cultural and identity preservation. Despite the Soviet Koreans' remarkable economic and educational advancement their deportation, their excessive assimilation raised the question of the long-term survivability of their culture and identity. Indeed, most [ex-] Soviet Koreans have lost the Korean language as their mother tongue or do not speak the language at all. Not only among the educated younger generation who moved into the cities and studied in the universities, but also among the farmers whose collectives were absorbed into the giant, multi-ethnic sovkhozes or kolkhozes of Kazakhstan and Uzbekistan, assimilation has separated Koreans from their cultural and ethnic roots.

On the other hand, Ahıska Turks engaged themselves more in preserving their identity and culture during the Soviet period. From the end of the 1950s on, the Ahıska Turks convened an underground organisation known as the 'Homeland Society' (Vatan Cemiyeti) which engaged in a struggle for repatriation and rehabilitation and served as the only organisation leading the Ahıska Turkish movement under the Soviet regime. Despite the harsh assimilationist policies of the Soviet authorities during the 1960s and 1970s, the Ahıska Turks preserved their identity and culture. Although the Soviet authorities imprisoned and arrested many members of the underground movement, the Ahıska Turks actively continued to demand relocation to their homelands and staunchly proclaimed their Turkishness.² While most Soviet Koreans urged their children to speak Russian and educated them in a Russian atmosphere for their social advancement and economic well-being, many Ahıska Turks claimed that they were primarily concerned with teaching their children the importance of their own tradition, traditional values, religion, and language (the members of the Ahıska Turkish and Korean Diasporas in Kazakhstan and Uzbekistan, personal communication, 2003 and 2005). Yavuz Zeybek (1996) argues that language is one of the most important elements for the formation of identity for Turks (p. 115), and in fact, the Ahıska Turks used their language not only as a way to identify themselves, but also as a tool to fight against assimilation. By passionately preserving their own language, the Ahıska Turks fortified their ethnic consciousness and solidarity.

In accordance with the common Soviet practice, the nationalities (ethnicities) of all citizens of the USSR were recorded in passports and other official documents. Hence, Koreans could not deny their nationality even if they wanted to do so. Of course, this did not mean that they tried to hide their ethnicity: when asked about their nationality, they answered that they were Koreans and other people labelled them as Koreans, too. It is a paradox of history that, because of the Soviet internal passport system, the children of Soviet Koreans inherited the nationality of their parents regardless of their Russian upbringing and self-identification. Even for those Koreans who learned the Russian language, adopted Russian culture, and lost their own language and culture in the process, they could not change their nationality to 'Russian.' The fact that Koreans were forced to maintain their own ethnic distinctiveness created a barrier to the full assimilation of deported Koreans into Russian society.

From the beginning, the situation of the Ahıska Turks was much different than that of the Koreans. Even before their deportation to Central Asia, many Ahıska Turks were not allowed to designate themselves as a 'Turk' or an 'Ahıska Turk' due to Soviet policy.³ Most of the Ahıska Turks in Kazakhstan and Uzbekistan had to register as Azerbaijanis, Uzbeks or Kazaks, so the nationality of Ahıska Turks was not uniformly reported in their passports. Regardless of these different reported nationalities, though, the Ahıska Turks self-identified as Turks, and they fought for the basic right to be officially called Turks or Ahıska Turks. The strong assimilation policy of the Soviets, which sought to divorce

2 The main goal of the Homeland Society was to work for the return of the Ahıska Turks to their homeland.

3 During the early years of the Soviet Union, Ahıska Turks were officially called 'Turks.' However, the Stalinist regime began to designate them as 'Azerbaijani' instead of 'Turk' in an effort to sever their relations and kinships with Turkey, which was seen as a security threat to the Soviet Union. More specifically, in the Soviet census of 1926, Ahıska Turks were referred to as Turks; in the census of 1939, they were referred to as 'Azerbaijani.' See Conquest (1970, p. 48).

Turks from their ethnic identity, stimulated the Ahiska Turks to cling to their ethnicity and collective identity more firmly. One Ahiska Turkish interviewee reflected that “We always tried to keep our language” since language was the critical mark of resistance to the Soviet regime which made ‘Turk’ into a pejorative term (an Ahiska woman in Chimkent, Kazakhstan, personal communication, 2003). Thus, unlike the Koreans who automatically acquired their ethnic designation and did not worry about its essence, Ahiska Turks had to (and were willing to) engage in a struggle to preserve their ethnic identification. In addition, there were other instructive differences between the situation of the Soviet Koreans and that of the Ahiska Turks. The Soviet Koreans were deported from the Russian Far East — not their ancestral homeland per se but an alien territory to which they had fled to escape the Japanese occupation of Korea — while the Ahiska Turks were departed from what they considered to be their ancestral homeland (they considered themselves descendents of the Ottomans), and because the Ottoman Empire had long been the dominant power in the region, the Ahiska Turks boasted a stronger ethnic pride and identification.

There is one thing that this author would like to clarify about the Koreans’ peculiarity with regard to their Sovietised identity. Many scholars mention the exclusive ability of Koreans to adapt to the new economic and social conditions of the Soviet Union and point this out as evidence of assimilation into Russian society. However, Koreans did not really assimilate into Russian society; while their adaptation during a short period of time led to an acculturation process, this process did not give way to assimilation. Instead, the Koreans’ strategy of adaptation was ‘integration’ rather than assimilation. As Berry (1992) argues, integration implies some maintenance of the group’s cultural integrity alongside a move to become an integral part of the host-society (p. 82; see Berry & Sam, 1997). Although the terms ‘integration’ and ‘assimilation’ may appear as synonyms in some of the relevant literature, it should be stressed that the term ‘integration’ as it is used here is clearly different from ‘assimilation’: in the former case, a person seeks to maintain his or her cultural and ethnic identity while in the latter case there is little or no interest in such continuity. Although the Soviet Koreans did not mobilise politically or form cultural associations during the Soviet period, they did preserve their traditional customs, values, and cuisine. Like the Ahiska Turks and many other deported nationalities, Soviet Koreans also mythologised their deportation and utilised its memory in preserving their ethnic identity; the sufferings of deportation facilitated the strengthening of ties among Koreans. Even a third generation, half-blooded Soviet Korean remembers that his family always ate Korean food as a way of maintaining Korean traditions (Valentin Kim, a member of the Korean Diaspora, a businessman in his 40s, Almaty, Kazakhstan, personal communication, 2003). One can easily observe in Kazakhstan and Uzbekistan that no matter how Russified a Korean might be, he proudly mentions that he eats Korean food. Thus, national cuisine seems to have a great deal of significance in terms of heritage culture for Koreans. In addition, while they may not speak Korean and may not always observe traditional celebrations, Koreans living in Russia today always express feelings of kinship with fellow Koreans. Thus, it would not be correct to define the adaptation strategy of the Soviet Koreans as ‘assimilation’ since many of them still maintain and develop at least some sort of distinct ethnic identity. Instead, their strategy should be defined as ‘integration’: Soviet Koreans simply integrated very well into mainstream society (the Soviet Union and later Russia, in this case) for the purpose of their own socio-economic well-being and advancement. The Ahiska Turks’ adaptation strategy was much different; according to Berry’s (1994) four-part categorisation, it would be defined as ‘separation’ since they strongly maintained their original culture (or ethnic identity) and did not consider their relationship with the host-society to be important (pp. 128-129).⁴ In all events, perestroika and the subsequent break-up of the Soviet Union brought about radical changes in the life and consciousness of the Ahiska Turks and Koreans in Kazakhstan and Uzbekistan. Due to dramatic changes in the economic, social, and political environment, both Diasporas are currently in the process of reconstructing their national identities in order to unify themselves, helped by the fact that they now have the chance to connect with co-ethnics from their respective

homelands. Now that Koreans are able to make contact with their homeland and other Korean Diasporas around the world, they have started to embrace a new conception of themselves (one which puts more emphasis on ‘Koreanness’) and they have begun to change their (Soviet) identities. For the Ahiska Turks, the break-up of the Soviet Union has meant the potential realisation of a long-cherished hope: immigration to Turkey, their perceived homeland. As one woman from the Tashkent region told this author, about 40% of the Ahiska Turks in her village have left for Turkey since the beginning of the 1990s (an Ahiska Turkish woman from Tashkent, Uzbekistan, 2005). For Diaspora minorities, the formation of the independent titular nations in Central Asia has been both a challenge and an opportunity to revive their ethnic identity and culture.

Diaspora Movement and the Formation of Diaspora Organisations

The breakup of the Soviet Union provided the Soviet Korean Diaspora with an opportunity to find its own roots and culture. Along with a series of other movements for cultural autonomy among Kazakhstan’s and Uzbekistan’s multi-national populations, a Korean national revival has begun. After years of forced silence, the Korean Diaspora community is taking the opportunity to actively develop its national customs, traditions, language, and culture, following the lead of the many intellectuals who initially attempted to revive a sense of Korean identity among Soviet Koreans through the organisation of language and cultural education and the forging of ties with homeland Korea (Kim, 1994, p. 45).

There were several reasons for the predominance of intellectuals in the early leadership of Korean associations. First, the ties of the intellectuals to the Communist Party and its government organs gave them access to the power needed to resolve organisational questions about the establishment of Korean cultural centres and lobby on behalf of the Korean centres. In addition, the professional specialisation of intellectuals, along with their work experience in party organs, meant that this group of people was better grounded in the preparation of statutory documents, the conceptualisation of cultural centres, and the management of organisational work. Finally, since these intellectuals were all experienced in, and realistic about, working within the party-state system, their roles as the leaders of cultural centres was agreeable to the organs of power (German Kim, Almaty, Kazakhstan, personal communication, 2003). In fact, the Korean cultural associations in their early stages copied the working style of the Communist party and other Soviet organs (Kim and Khan, 2001, p. 125). Later, these cultural associations became accountable to, as well as dependent upon, the organisation of the newly-independent titular governments.

A central concern of the post-Soviet Korean movement was the establishment of Korean national organisations, and indeed, the Koreans in Uzbekistan and Kazakhstan founded dozens of Korean organisations at the oblast, city and regional levels, serving different populations of Koreans in different areas. Such organisations arose almost simultaneously in Tashkent, Samarkand, Fergana, Almaty, Kyzyl-orda, Chimkent and elsewhere where substantial numbers of Koreans lived. As German Kim and Valeriy Khan (2001) note, other ethnic groups “looked on us [members of the Korean Diaspora] with astonishment as our Korean centres, organisations and societies grew and multiplied like dormant seeds after rain” (p. 114). In March 1990, many of the Koreans of Central Asia gathered in Almaty, Kazakhstan to convene the First Annual Congress of the Koreans of Soviet Union. At this Congress, members of the Korean Diaspora from each of the Central Asian republics founded the Republican Association of Korean Cultural Centres (Kim and Sim, 2000, pp. 22-23).

After the [ex-]Soviet republics passed a law ‘on social groupings,’ which gave different ethnic groups the right to form their own ethnic organisation, an organisation known as “The Association of Koreans in Kazakhstan” was formed in Kazakhstan while in Uzbekistan a new organisation was christened

“The Association of the Korean Cultural Centres in Uzbekistan” (Kim and Khan, 2001, p. 117). At a time when ethnic consciousness was awakening among Koreans, all these associations placed emphasis on the revival of the Korean language, customs, and tradition as their basic goals. At the same time, because the Soviet Korean leaders of these associations were very loyal to the ruling regime in their respective countries of residency, Korean organisations in the 1990s carefully omitted any mention of goals in their statutory documentation that might complicate their relations with the authorities. Because the Korean leaders did not regard themselves as subjects of political activity during the formative period of their new organisations, the associations’ ethnic agenda was primarily cultural, and the political consciousness of Koreans was left asleep (Khan, 1994).

By 2001, the Associations (in Uzbekistan and Kazakhstan) had come a long way towards fulfilling the goals set four years before at the Third Congress. All of the various Korean groups in Kazakhstan and Uzbekistan were consolidated and unified. The organisational ties between the centre and the regions were much stronger, as were the ties between business people and the academic and cultural intelligentsia. To a certain extent, the Associations had succeeded in awakening the ethnic consciousness of the Korean Diaspora. In more recent years, the Associations have helped to raise the professional and political profile of the Korean Diaspora. Looking more closely at matters below the official level, many Korean intellectuals have become increasingly aware of their social and political rights, and in fact, since 1999, three members of the Association of Koreans in Kazakhstan’s presidium have actively participated in the Assembly of Peoples of Kazakhstan as members of the Council (Oka, 2001, p. 89).

Compared with the Korean Diaspora, the Ahıska Turks have a much longer history of ethnic organisation. Until the end of the 1980s, the Vatan society, as the only organisation of the Ahıska Turks, unquestionably led the Ahıska Turkish movement. Its leaders continuously fought against the Soviet authorities for their repatriation to their homeland and their right to proclaim themselves as Turks. Yet, some organisational problems existed: there was disagreement amongst the leadership of the Ahıska Turks, and the movement was somewhat fragmented due to demographic dispersion and the Soviet authorities’ efforts to control and disorganise the Ahıska Turks. After the dissolution of the Soviet Union, numerous other organisations were founded by the Ahıska Turks residing in Kazakhstan and Uzbekistan. A Central Association of the Ahıska Turks was founded in Almaty and Tashkent in 1991. Both of these associations presented a slightly different perspective on the issues of importance to Ahıska Turks, although they did not diverge significantly. In addition to being concerned with the problems and socio-economic conditions of the Ahıska Turkish community living in Kazakhstan and Uzbekistan, one of the important points still on their agenda today is obtaining the permission and means for Ahıska Turks to immigrate to Turkey, which they consider their homeland. Ahıska Turkish associations have made close contact with the Turkish embassy and have prepared to submit the list of Ahıska Turkish families wishing to migrate to Turkey (Aydingün, 2001, p. 138). During interviews with the leaders of the associations in Kazakhstan and Uzbekistan, both leaders said that their primary activity after collective organisation was emigration from the titular Central Asian states to other places —if possible, Turkey (Tevfik Kurdaev, Almaty, personal communication, 2003; Ömer Salman, Tashkent, personal communication, 2005). Within the Ahıska Turkish organisational framework, the associations have made the necessary demands to the responsible government authorities.

On the contrary, the associations of the Korean Diaspora have not made any demands to the government authorities. Unlike many other Diaspora minority groups, such as Russians, Germans, and Ahıska Turks, Koreans have not left Kazakhstan and Uzbekistan in as large of numbers. This fact coincides with the official stance of the Uzbekistan and Kazakhstan Koreans Associations, exemplified by Gurri Khan, Vice President of the Association of the Koreans in Kazakhstan, who stated at a session

of the Assembly of Peoples of Kazakhstan that his organisation does not support the idea of Korean emigration from Kazakhstan: “for us,” he said, “Kazakhstan has become our motherland” (Tskhai, 2000, p. 136). The Korean Association in Kazakhstan and the Associations elsewhere have adopted a strategy of close cooperation with the titular regimes in the hopes that, through effective lobbying, their interests and representation will be furthered.

It should be kept in mind, however, that this strategy of close cooperation has only been the official stance of the Associations. Like the Ahıska Turkish Associations, there has been a lack of communication between the Korean Associations and their community members, and many ordinary Koreans residing in rural areas who are largely peripheral to the movement have not been aware of such activities. In fact, many Koreans are indifferent towards politics (which was also the case with many Ahıska Turks), and many of them believe that nothing can be changed by voting in elections — although they often express disappointment that, in contrast to the former Soviet Union, there are currently few Koreans in the executive or legislative bodies at the national level (while one might assume that this lack of representation means Koreans now lack loyalty to the titular regimes, the bureaucrats of today actually view Koreans as more loyal to the regime than ever before, Kan 1996; Personal Communication with a Kazak government civil servant, Almaty, Kazakhstan, 2003). Some Soviet Koreans complain that the Korean Association is too politically and business-oriented, although they concede that nothing can be done in the present political climate without representation and money.

It seems the differences between the Korean and Ahıska Turkish Diaspora experiences derive from different psychological perceptions of ethnic identity. Many Ahıska Turks perceive their ethnic identity in a negative light: that is, they think that today, as during the times of the Soviet Union, they are an unwanted national minority group in the region. Even though they are ethnically and religiously similar to the majority population of Turkic peoples, many Ahıska Turks believe that they are among the most discriminated nationalities (Aydingün, 2001, p. 141).

On the other hand, many Koreans perceive their identity in positive terms. Known by other national groups in Central Asia for traits such as diligence, conscientiousness, patience, goodwill, and persistence in achieving their goals, Koreans are very positive about their ethnic identity, and many believe that they are a much-desired group in the host-states for the development of the nation (Khan, 1994). Having carved a niche for themselves in the Russian economy and having transcended the criminal status with which their community was initially labelled when they came to Central Asia, Koreans appear far more willing to embrace a ‘second among equals’ status and adapt to the new reality of a titular-dominated Kazakhstan and Uzbekistan. By contrast, the Ahıska Turks, presented with an idealised vision of a better life in what they consider to be their distant homeland of Turkey, have had less success in transcending the status of ‘other’ which they lived with throughout the Soviet period. A comparison of Ahıska Turks’ and Koreans’ actions after forming associations in Uzbekistan and Kazakhstan reveals a clear divergence in the degree to which these communities feel they may legitimately vest their future in the new Central Asian states.

Territorialisation in the Titular States

Building upon the aforementioned information, this section will show a textured picture of ‘re-territorialisation identity’ within the titular states of Kazakhstan and Uzbekistan, and it will shed light on the general nature of diasporic identity in the context of post-Soviet space. As shown by Table 1 below, a much higher percentage of Koreans consider the states they live in as their homeland than do Ahıska Turks. This differential is the central issue in this examination of territorialised identity and of the degree to which members of both groups feel that they are capable of full integration into the titular state.

[Table 1]

Q. Where is your homeland? (Multiple answers possible)

Nationality	Koreans %	Ahiska Turks %
Place of Birth	46.3	20
Soviet Union	20	0
Titular States (Kazakhstan / Uzbekistan)	42	22,2
Land of Forefathers (Russian Far East / Ahiska Region)	22	80
Historical Homeland (Korea / Turkey)	43	96

Source: Data derived from surveys conducted in Kazakhstan (2003) and Uzbekistan (2005) of Ahiska Turks and Koreans, 150 samples in each country and each diaspora (600 total).

[Table 2]

Q. Who should be considered native residents of the titular states? (Multiple answers possible)

Nationality	Koreans %	Ahiska Turks %
Titulars (Kazak or Uzbek)	7,2	15
All People who were Born in the Titular States	52	38
All Citizens	50	42
Difficult to Say	2	5

Source: Data derived from surveys conducted in Kazakhstan (2003) and Uzbekistan (2005) of Ahiska Turks and Koreans, 150 samples in each country and each diaspora (600 total).

Taken together, Table 1 and 2 demonstrate that both groups attribute considerable value to ‘being born in a place’ as a criterion of indigenesness. This trend is particularly high amongst youths and middle-aged people who want to believe that they have certain rights in their countries of residence by virtue of being born there —which is more revealing of their desire than the reality of how they feel about living in the state.

The following from a middle-aged Korean in Almaty conveys a common of the interview responses from communities, in which the complex interaction of ethnic, territorial, and national identities remains unsettled. It shows a dynamic process of identity formation:

In my heart, I feel I am a native of this place – I mean this city or maybe this country. I don't know. I know that I never lived in Korea, neither did my father or mother. Thus I am not quite sure if it is my homeland. At the same time, however, I now live in a country that I did not choose. Neither did my father or grandfather choose to come here. I really don't know. You ask me difficult questions. (Anatoli Kim, Almaty, personal communication, 2003)

In both communities, identity formation is a dynamic process, and the complex interaction of ethnic, territorial, and national identities remains unsettled. Yet, there are differences between the identities of Koreans and Ahıska Turks. Members of the Korean Diaspora tend to have a 'hyphenated identity' composed of ethnicity and territorially-based citizenship (i.e. Korean-Kazakhstani or Korean-Uzbekistani) while the Ahıska Turks rarely have such an identity; there is, therefore, a far greater willingness among Koreans to embrace a long-term association with their titular state.⁵ The warm regard that Koreans, particularly Koreans in Kazakhstan, have for the titular state is often mutual; as one Kazak official recently stated, "Koreans were forced to come here, but once here, found a way to contribute greatly to the Soviet Union and now Kazakhstan. It makes them an important part of the Kazakhstani people" (Koroyoin, 2005). In an instrumentalist sense, such remarks may have contributed to the Koreans' higher levels of territorialisation within Kazakhstan. In addition, the more sentimental approach that members of the Korean Diaspora take towards belonging in Kazakhstan is evident in many of their writings.

Nonetheless, ethnic self-conception has a continuing significance, even for Koreans, as shown in Table 3 below. It seems that the prominence of ethnic identity among both groups results from a combination of the Soviet legacy of enforced ethnic difference and the role of the homeland after making contact with them.

[Table 3]

Q. What is your primary community of belonging? (Multiple answers possible)

Nationality	Koreans	Ahıska Turks
Own Ethnicity	98	100
Soviet Nation	20	0
Kazakhstani (Citizenship)	38	13

Source: Data derived from surveys conducted in Kazakhstan (2003) and Uzbekistan (2005) of Ahıska Turks and Koreans, 100 samples in each country and each diaspora (400 total).

Self-Identification and Homeland Image

The Ahıska Turks have always defined themselves as Turkish. Their identity's significance is based on an emphasis on its Turkishness, which derives from their belief that they were the only Turks in the Soviet Union, that they were once part of the Ottoman Empire and that they are now part of modern Turkey. Many Ahıska Turks state that they enjoy quite a high degree of ethnic solidarity compared to other Diasporas, indicating their strong self-identification. Sometimes they even disparage Kazaks since many Kazaks do not know their own language (the Ahıska Turks consider this shameful, a symbol of weak ethnic identity). Even though in their Soviet passports they were, in some cases, defined as different ethnicities, the Ahıska Turks always recognised themselves as Turks (or Ahıska Turks). By referring to themselves as 'Turks,' which is the same self-designation used by their

5 It should be noted, however, that there is a degree of difference between the Koreans of Uzbekistan and the Koreans of Kazakhstan. The Koreans of Kazakhstan tend to associate more with their titular state — they tend to territorialise more — than their co-ethnics in Uzbekistan because they live in a relatively liberal socio-political environment whereas the Koreans of Uzbekistan worry about the increasing Islamisation and nationalism of Uzbekistan.

homeland compatriots, Ahıska Turks have attempted to rekindle their Turkish heritage, which has, in turn, helped to awaken and mobilise the Ahıska Turkish Diaspora in Uzbekistan and Kazakhstan.

Perhaps this can suggest a good lesson to the Koreans, who use different self-designations in their homeland and in their host state. While Koreans in the Korean peninsula indicate themselves ethnically as Han-Min Jok, they do not extend this term to the Korean Diaspora in Kazakhstan and Uzbekistan (and other CIS regions as well). Instead, the members of the Korean Diaspora in Kazakhstan refer to themselves as 'Koryo Saram.' Although German Kim (2003), a scholar of the Korean Diaspora, argues the term 'Koryo Saram' is appropriate for their designation since they had different experiences during the last decades, it seems that this will estrange the Korean Diaspora from its homeland community rather than bring them closer together, making a recovery of their divergent culture all but impossible. Although, as German Kim notes, there are indeed some substantial cultural differences between these two peoples of the same origin — for example, many members of the Korean Diaspora have been strongly Russified during the past decades— this does not mean that one has to consider the Korean Diaspora utterly distanced from the homeland Korean community. In fact, this perceived distance is a tragedy that must be overcome. As seen from the case of the Ahıska Turks, a common designation between the Diaspora and their compatriots in the homeland seems to be the starting point to narrowing the gap between them.

In the Central Asian context, the Ahıska Turks' image of a homeland is clear and well-constructed compared with that of the Korean Diasporas. As Zlatko Skrbis (1999) argues, the relationship between ethnic homeland and Diaspora is crucial to understanding the Ahıska Turks' ethnic identity and nationalism (p. 38). Under the Soviet regime, the idea of homeland always had special meanings to the Ahıska Turks as a romantically-defined goal towards which almost every single aspect of an individual group member's life was directed; the homeland was a spatial representation influenced by political and cultural factors rather than the simple fact of geography.⁶ Many elderly Ahıska Turks told this author that they would know the place and be able to find their way around even if they were blind (Ahıska Turks, Kazakhstan and Uzbekistan, personal communication, 2003 and 2005).⁷ Because such narratives of the homeland certainly form the basis of the Ahıska Turkish identity, almost all of the Ahıska Turks in Kazakhstan and Uzbekistan feel themselves to be in a state of continuous exile. During the course of fieldwork, all interviewed members of the Ahıska Turkish Diaspora indicated that they were outsiders in Central Asia, even as they pointed to their cultural and linguistic ties to Kazakhstan and Uzbekistan.

Outsiders, such as Koreans and others from different cultures, might have a hard time differentiating Ahıska Turks' culture, lifestyle, and language from that of the majority titular group since the two have many similarities. And, yet, Ahıska Turks argue that their language (dialectal difference), food, household design, and style of dress all make them very distinct from the titulars (Uzbeks and Kazaks), who are also Turkic peoples (elderly Ahıska Turks, Kazakhstan, personal communication, 2003). Moreover, Ahıska Turks say that the titulars refer to them as 'Turks,' though the titulars themselves are also technically a Turkic people (Ibid). Thus, although they are residing in Turkic, Muslim countries, many Ahıska Turks believe that being a Turk and preserving their traditions there are difficult. A representative of the Ahıska Turks, Tafur Abuzer, argued in 1989 that the Ahıska Turks should thus be allowed to go to Turkey, saying, "There are no Meskhetian [Ahıska] Turks just like there are no Uzbek Turks [...] There are only Turks and Uzbeks" (as cited in Knovratovich, 1989).

Also the titular states' nationalizing policies and trends all over the societies are pushing immigrants to their homeland. Kazakhstan, which is relatively tolerant republic in Central Asia (Almaty is still considered to be one of few places where Muslim, Jews, Protestants, and Orthodox Christians live harmoniously), is less welcoming towards non-Kazaks. Ahıska Turks confess they might be assimilated

6 Although the ancestral Ahıska region is now located in Georgia, Ahıska Turks consider their homeland to be Turkey since the region used to be the part of, and they themselves used to be a people of, the Ottoman Empire.

7 This is the same reason that the Ahıska Turks describe the region (Ahıska) as part of Turkey.

to the titular society in two or three generations if they would continue to live in the titular states there without any help and support from their homeland or host-state. Ahıska Turks are concerned about their children's generation losing their mother language, and they are concerned about new and different customs in the cities. As Aydıngün (2002) notes, it is this fear of the disappearance of their community that is pushing the Ahıska Turks to migrate to Turkey (p. 195). Given such societal trends and their psychological impact upon the Ahıska Turkish community, it is no wonder that the idea of emigration to Turkey is considered as the only solution, and that such out-migration is the main task of the Ahıska Turkish Association.

Since they do not see any future in the titular states, many Ahıska Turks have sought to sell their property in order to have money ready for their families to migrate to Turkey, as Germans and Jews have done in the past. Initially, many Ahıska Turks expected Turkey's help in organising their migration; however, Turkey, abiding by its general policy in relation to ethnic Turks living abroad, suggested that the Ahıska Turks stay in their residing countries and develop their lives there, which disappointed them (Avşar, 1997, p. 1626). Informally, though, the Turkish government did not prevent the illegal immigration of Ahıska Turks to Turkey, and in fact, Turkey welcomed all the Ahıska Turks who came to Turkey, whether legal or illegal immigrants. Consequently, Turkey's response to the Ahıska Turks was somewhere in between Germany's and Korea's stances toward their co-ethnics abroad (Germany encouraged members of its Diaspora to migrate to Germany after the dissolution of the Soviet Union while the (South) Korean government took a firm stand against the migration of any of the estimated 650,000 CIS Diaspora Koreans to Korea).

Turkey's uneven policy also resulted from a fear of mass migration from Central Asia and elsewhere. At one point, the Turkish government actually did accept a limited number of Ahıska Turks to Turkey. On July 2, 1992, Law #3835 was passed, giving the Ahıska Turks the status of settled immigrants with certain benefits, including property rights, support for shelter, settlement, and transportation of their family to Turkey, and even allowing for dual citizenship (Avşar and Tunçalp, 1994, pp. 49, 78). While it was a generous and expansive piece of legislation, it was not fully enacted, and only 500 Ahıska Turkish families were allowed to settle in Turkey in 1992 and 1993 (Avşar and Tunçalp, 1994, p. 32).⁸ Although this legal measure to accept the Ahıska Turks in Turkey was enacted only for a limited time and affected only a limited number of people, hope was not lost for the Ahıska Turks since, informally, Turkey continued to receive those who migrated to Turkey by their own means.⁹ Yet, this didn't lead to a mass migration of Ahıska Turks to Turkey since, without Turkish citizenship, Ahıska Turks were excluded from all social security and welfare systems in Turkey. As illegal aliens without any rights, Ahıska Turks had to withstand all manners of hardship for a certain period of time (until they received citizenship) before they could be properly resettled and have a decent life.

Such a situation automatically discouraged mass Ahıska Turkish migration to a large extent. Those who were well-off or highly-educated in the titular states didn't want to risk such a venture, having heard from those Ahıska Turks who had migrated during the early stages that the reality was often inconsistent with the dream that impelled their return. This is not such a surprise given the tendency of diasporic peoples to construct essential, idealistic visions of their homeland during their years of dispersal. Numerous other groups have been inspired to migrate on the basis of an essential 'return myth,' only to find that the reality of integration within the homeland is often more complicated than anticipated. One elderly Ahıska Turk actually migrated to Turkey but later disappointedly went back and resettled in Sirdarya, Uzbekistan because, in his opinion, Turkey's culture and language had become too Westernised and because he had had too hard of a time adapting himself to such a new, unfamiliar environment (an elderly Ahıska Turk, Sirdarya, personal communication, 2005). Like many other Ahıska Turks, he had been forced to live in isolation for decades and was unaware of the

8 One hundred fifty families were allowed in 1992, and 350 families were allowed in 1993.

9 They were able to come with a tourist visa and then were able to somehow get a work permit and, later, a resident permit. According to an Ahıska Turk immigrant in Turkey, it is not so difficult for an Ahıska Turk to get Turkish citizenship (one can get citizenship after about five years).

changes that were going on in Turkey. For Ahıska Turks, preserving older, Ottoman traditions was the main engine of the community's survival, and many elderly Ahıska Turks (as well as many Soviet Koreans, in their own context) didn't seem to understand that culture does not stay in the same place. With the transformation of traditional societies into industrial, globally-connected societies, traditional, ethnic culture (e.g., customs, rituals, beliefs, moral norms, etc.) has been transformed into industrial-urban culture, with disorienting consequences.

In conclusion, migration to their cultural homeland is an expansive and arduous undertaking for Ahıska Turks. Potential migrants can be divided into those more thoroughly territorialised and those simply lacking the financial resources to move. The second of these categories calls into question the level of engagement of the homeland (Turkey) and specifically, its potential to support or sponsor repatriation.

Among young and middle-aged Ahıska Turks, the importance of their homeland has started to take on a practical and real dimension which is related to their economic survival. For example, when this author asked people about which country they consider their homeland in 2005 (about a decade after the independence of the titular states), Ahıska Turks often responded by providing, among other things, a description of the ideal socio-economic conditions in a homeland. Currently, in Kazakhstan and (to some extent) in Uzbekistan, younger and middle-aged Ahıska Turks are able to achieve relative economic prosperity. As Ahmet, a truck driver and a 40 year-old father of three, told this author: "Home is where you can have your own house and where you can send your children to school and where they can have a future" (Ahmet Ali Osmanoğlu Nabiyeu, a truck driver in Chimkent, personal communication, 2003). When contemplating the possibility of migrating to Turkey, Ahmet and many other young Ahıska Turks understand that, without land and economic support, migration is not feasible, even if the law allows it. In addition, there are other practical concerns: Yıldız, who runs a small business in Turkistan and claims to be an ardent nationalist, said: "Of course we want to return, but we need houses and land. Without these it is not possible to go back" (Yıldız Osmanov, Turkistan, personal communication, 2003). Younger Ahıska Turks are characterised by a pragmatic image of their homeland and a myth of return rather than by a nostalgic longing for their homeland. On the other hand, for elderly people who do not have the money to emigrate, the current situation is lamentable; for example, one elderly Ahıska Turk said: "Previously, we couldn't travel as the law prevented it, now money stops us" (an elderly Ahıska Turk, Tashkent, personal communication, 2005). In the case of the Ahıska Turks, the question becomes not so much whether they would like to migrate to Turkey but whether they feel that they have the right to do so. Migration gives them a certain feeling of comfort: Even if they do not want to (or cannot) migrate at the moment due to economic or other reasons, the fact that they possess the right to migrate to their homeland, i.e., Turkey, is comforting. In general, all Ahıska Turks hope to spend their future in Turkey and perceive it as the only place where they can feel at home.

Compared with Ahıska Turks, Soviet Koreans have a different self-identification and a different homeland image. While over the past decade many Korean Diaspora organisations and the (South) Korean government have made a great effort at national revival based on the idea that 'all of us are Koreans' and upon South Korea as the model of Koreanness, many Korean Diaspora intellectuals have underscored the Diaspora's distinctiveness, and they have started to rethink this national revival. As Valeriy Khan (1993) argues, "there are many programs of national revival but it is not easy to find a clear theoretical understanding of the essence of national revival in these programs" (p. 23). Also, as German Kim (1996) writes, "as for reviving Korean customs and traditions we have more questions than answers" (p. 85). The problem for these scholars is that they want to have a clear theoretical understanding of the national essence of Soviet Koreans before they endorse a 'national revival.'

Many Korean Diaspora intellectuals argue that while Koreans in Central Asia and Koreans from the peninsula share many similarities, when it comes to customs, food, language, anthropological type, etc., they also have many differences (Khan, 1996, p. 23). As Valeriy Khan notes, “Even outward appearance is not same. At least it is not difficult to distinguish Koreans from Uzbekistan from Koreans in Korea” (Valery Khan, Tashkent, personal communication, 2005). Going even further, Khan (1998) says that Koreans in Central Asia differ from both North and South Koreans in language, mentality, values, outlook, behaviour, customs, and traditions (p. 69). According to Khan (1998), the Soviet Koreans’ cultural genetic fund is actually the synthesis of traditional Korean, Russian, Central Asian and European cultures (p. 69). Many Soviet Koreans who live in urban areas and who have had a better chance to make contact with homeland (South) Koreans state that sometimes these Koreans are more alien to them than Russians, Uzbeks, or Kazaks. They say that, for Soviet Koreans in Central Asia, it is very often easier to understand the psychology and behaviour of Russians, Uzbeks, and Kazaks than it is to understand the psychology of Koreans from Korea. Dimitri Men, a member of the Korean Diaspora and a professor in the History Department at Almaty State University, gave his idea of self-identification in similar terms:

Am I Korean in general? Yes, I am if we take my genetic roots. But I have many essential differences from Korean Koreans. Who am I? We can identify myself in the following way: I am Korean by my genetic roots, I was educated in the Soviet system, my native language is Russian, my outlook is based on world culture, I have European-Asian thought, I am adopted to various cultural environments and I live in Kazakhstan. Thus, the so-called Korean nature has not been a dominating factor in my human nature. (Dimitri Men in Almaty, personal communication, 2003)

Moreover, Men said, it would be illogical if Koreans from the homeland expected the Soviet Koreans to bear the same psychology and value orientations as they did.

To a certain extent, such negative statements and reactions result from the excessive attempts of the homeland and the associations to dictate a model of behaviour and consciousness to the Soviet Koreans. Immediately after the fall of the Soviet Union, all members of the Korean Diaspora suddenly felt themselves Korean and wanted to be similar to homeland Koreans (Khan, 1996, p. 19). There was a boom in Korean language, culture, and trends during this period, and it all seemed to be a phenomenon of mechanical imitation. This mass attempt to imitate homeland Koreans led Soviet Korean intellectuals to develop a complex about being defective Koreans. According to this view, when reviving the tradition and culture of a homeland in the Diaspora, internal, uniquely diasporic content should be considered in addition to external homeland attributes in order to overcome the criticism of being an external imitation of homeland culture. As German Kim (2003) points out, recovering the cultural and language differences of the homeland should not entail a lopsided imposition of the homeland (South Korean) culture (German Kim, Professor, Korean Studies Department, The State University of Kazakhstan, personal communication, 2003). While South Koreans often try to impose their culture on Soviet Koreans as if that were the meaning of cultural revival, they should not forget that these Soviet Koreans were one of the most integrated ethnic groups in Soviet society and also that, because the Soviet Koreans’ dissimilation from Korean culture was a process that occurred over many decades, their re-embrace (or partial re-embrace) of it will also take time, if it is to take place at all.

Because the Korean government has taken a firm stand against the repatriation of the Soviet Koreans, almost none of them see their future in (South) Korea. As a result, many former Soviet Koreans seem to have decided to settle down in the titular states, generally Kazakhstan since they perceive it as more multi-ethnic and liberal than the other republics in the region. The decision is continuously reaffirmed by the Korean Diaspora associations during their gatherings. Compared with Turkey,

which has a more uneven, ambivalent attitude toward the Ahıska Turks, Korea showed its clear commitment that it will help its Diasporas but not allow the repatriation. While Turkey's immigration policy has steadily become less welcoming over the last decade, South Korea's policy reveals an even more overt resistance to diasporic return migration. Turkish president, Süleyman Demirel, showed his commitment to the Ahıska Turks said in the Turkish Daily News, "Turkey is a receiving country with many demands but Ahıska Turks [have] always been given priority in migration," only to later say that: "[our] goal is not to offer citizenship in Turkey but to revise the nationalisation process in the titular state where these Turks lived" (Turkish Daily News, January 29, 1999). Accordingly, it showed the typical contradictory policies of Turkey, between the official and informal measures. However, when the President of Korea, Kim Youngsam, visited Kazakhstan for the first time to celebrate the first CIS Korean Festival with Kazakhstani President Nazarbayev in 1993, he delivered a much different speech, one that included a clear message of 'homeland.' He said:

My dear countrymen! Your long friendship with the peoples of Kazakhstan is an important bridge in the heartfelt good-neighbour relations between our two countries. I hope that you will continue to work to develop Korean culture and traditions with pride and that you will also continue to fulfil your social obligation to the state of Kazakhstan. I also hope that you are able to partake in the development and growth of our common homeland. As for our part, we guarantee that your historical homeland is prepared to help you and protect your peaceful and prosperous future in Kazakhstan. (Tskhai, 2000, p. 19)

In response to this, President Nazarbayev noted:

In Kazakhstan, we honour the great work of our Korean citizens toward the development of our economic and cultural life and its future potential. We know the Koreans well as great masters of labour as well as important figures in the world of science, culture, and art. I would like to express my sincere confidence that our Korean citizens will always have a special place in our republic and will be able to apply their national traits of wisdom, love of work, and desire of knowledge to their participation in economic, social, cultural, and political activities of our state. (Tskhai, 2000, p. 19)

Such official announcements have led Soviet Koreans to see their future as being in the titular state, and they have accelerated the rate at which Koreans conceptualise the titular states (Kazakhstan and Uzbekistan) as their homeland, which is the central issue in this examination of the territorialisation of the Korean Diaspora's identity. These statements reflect the realisation that for the Korean Diaspora community to exist in Kazakhstan, its members must invest themselves in the state, not simply at the micro-level but as members of the citizenry at large. This nesting of identity is far more prominent among urban Koreans who have an increasingly cosmopolitan self-conception of Kazakhstani citizens (Back, 2001, p. 49). Cosmopolitan trends are also evident among urban Ahıska Turks, although they do not seem to point to an eventual acceptance of a state-level, civic, 'Kazakhstani' identity.

Below, German Kim gives his idea of returning to the homeland, which more or less reflects the thoughts of the Korean Diaspora in general:

It is not so important whether the homeland governments (South or North Korea) are interested in repatriation of Soviet Koreans. We know the fact that South Korea is a very crowded country. Thus, every year tens of thousands of South Koreans are pushed out of their homeland for a myriad of different reasons,¹⁰ and hundreds of thousands of North Koreans are running away from North Korea trying to escape starvation. So how can we talk about repatriation? But even if such an appeal sounded from Korea, I don't think that

many Soviet Koreans would move to their historical motherland. I have already explained the reasons: we would be aliens there, we do not know the language, we have a different mentality, habits, way of life, we cannot live in a mono-ethnic environment, and we would be absolutely incompetent there. I have experienced it myself. In Korea, despite the distant but existing kinship, I felt as a stranger. (German Kim, Almaty, personal communication, 2003)

Actually, the likelihood of repatriation is complicated and requires a combination of social networking, specialised training, and a great deal of hard work, even for native-born Koreans. Viktor Kim, a graduate student in Uzbekistan, gave his impression after a recent visit to South Korea as follows: “Our people do not have contacts in the business world of Korea, our education is not highly respected and, to be honest, they work very hard there – harder than we are accustomed to.” It is, therefore, considered improbable and illogical for relatively successful Soviet Koreans to migrate to South Korea.

A variety of factors affects the collective willingness of Ahıska Turks and Koreans to invest themselves in the future of the new titular states. Despite the Koreans and the Ahıska Turks’ historical associations with Kazakhstan and Uzbekistan, most Ahıska Turks have clearly favoured emigration, while the majority of Soviet Koreans have opted to embrace Central Asia, and quite often Kazakhstan, as their homeland.

Language Revival and Education

Compared with the Korean Diaspora, the Ahıska Turks have preserved their language to a much greater extent since they have long used their language to identify themselves and as a tool against assimilation. Table 4, which shows data collected from the 2001 Statistical Yearbook of Kazakhstan prepared by the European Union’s TACIS programme, illustrates the general situation of Ahıska Turkish and Korean language knowledge.

[Table 4]¹¹

Q. What is your primary community of belonging? (Multiple answers possible)

Nationality	Nationality	Those Among Them who Know the Language					
		Native (Turkish/Korean)		Kazak		Russian	
		Thsd. Person	As % of Total Population	Thsd. Person	As % of Total Population	Thsd. Person	As % of Total Population
Korean	99,7	25,7	25,8	28,7	28,8	97,4	97,7
Ahıska Turk	78,7	59,6	75,7	57,8	73,4	59,5	75,6

Thsd. = Thousands

Source: European Union TACIS Program, Statistical Year Book of Kazakhstan (Almaty: Agency on Statistics of the Republic of Kazakhstan, 2001, p.434)

Although the Ahıska Turkish community has, by and large, preserved its native language, recently signs of change are visible among those who live in cities, and especially among those who have a higher education. Many Ahıska Turkish intellectuals point out that the lack of any education in Turkish is an important factor contributing to the loss of the Turkish language among Ahıska Turks,

11 As mentioned earlier, due to some difficulties of calculating the Ahıska Turkish population, data in this table seems not accurate; moreover, Ahıska Turks were artificially and arbitrarily divided into ‘Ahıska Turks’ and ‘Turks’ in the original data. However, these data give some information about the knowledge of language between Ahıska Turk and Koreans.

especially among those children born and raised in the urban centres of Kazakhstan and Uzbekistan. Moreover, since elderly Ahıska Turks, who are highly traditional and highly-fluent in the Turkish language, are now aging and passing away, it has become more difficult for the younger generation to learn and speak Turkish. Although there are schools and universities that have been founded by Turkish charities and religious organisations and also Turkish departments in major universities, these institutions are not designed to help the ethnic revitalisation of the Ahıska Turks; instead, all of these Turkish institutions have a larger agenda, which includes building the solidarity of all Turkic peoples in Eurasia. Still today, there are not any organised language courses available which aim to revitalise the mother language of the Ahıska Turkish Diaspora.

In comparison, Soviet Koreans have many organised language teaching institutions in many places in the titular republics. At the beginning of the 1990s, Soviet Koreans had a booming interest in learning the Korean language, and numerous courses in Korean were organised by Korean cultural centres and Korean missionary churches, which can perhaps be attributed to the Korean Diaspora's urgent desire to revive its language. Also, the Korean government overtly supported the revitalisation of the ex-Soviet Koreans' mother language; many language centres were established with the help of the Korean government and many Korean books, dictionaries, computers and other technology were provided by South Korea. Today, in the regions where Koreans live in dense communities, such as Ushtobe (near Almaty) in Kazakhstan and Politotdel (near Tashkent) in Uzbekistan, ex-Soviet Koreans have managed to organise Korean language courses as part of the regular curriculum in primary and secondary education.¹² In other words, the Korean language has been taught at schools (from elementary to high school), and even in kindergartens. As for higher education, numerous Korean departments were opened in the 1990s in a number of universities and colleges in Kazakhstan and Uzbekistan. The total number of students in the Korean departments of Kazakhstan is about 250, and in Uzbekistan the number is about 350.¹³ The most well-known Korean departments in Kazakhstan are at the State University of Kazakhstan and Almaty State University. In Uzbekistan, there is even a Korean department at Tashkent Nizami Pedagogical University which has almost 200 students, and it is at this university, along with the Institute of Oriental Studies, where most Uzbekistani specialists in Korean studies are trained. One of the major differences between the Korean departments at these institutions and the Turkish departments in the region is that the majority of students in the Korean departments are from the Korean Diaspora. Both in Uzbekistan and Kazakhstan, Diaspora Koreans constitute around 80% of students in Korean departments (and, in the case of Tashkent Nizami Pedagogical University's Korean department, the number is even higher, with Diaspora Koreans composing 92% of the students) (Kim, 1995).¹⁴ There is only one exception to this, and that is the State University of Kazakhstan, where Diaspora Koreans constitute only one third of the student body due to an official policy supporting the enrolment of Kazak students (Kim, 1995). According to Vronislav Lee, the chairman of the Korean department at Tashkent Nizami Pedagogical University, the reasons why young people enter Korean departments are as follows, in ranked order (Vronislav Lee, Tashkent, personal communication, 2005):

- 1) Their nationality is Korean.
- 2) Their parents wish for them to study Korean.
- 3) They would like to go to Korea.
- 4) They would like to get a good job after graduation (for example, working for the Korean conglomerates Samsung or LG)

¹² The author could not find out the exact number of schools that are teaching the Korean language in their regular curriculum; however, according to the information gathered from a member of the Korea Association, there are about 13 schools in Kazakhstan and 19 schools in Uzbekistan.

¹³ Also, in Kyrgyzstan there are 250 students in the Korean departments of the 3 main universities. Therefore, in Central Asia there are nearly 1000 students (mainly ex-Soviet Korean students) who are studying the Korean language (Kim, 1995).

¹⁴ One of the interesting things about the students in the Korean departments is that most of the students (80-90%) are girls. If we consider the role of women and their influence in raising children, this data suggests something positive for the language revival of the Korean Diaspora in the future.

Accordingly, unlike the Turkish departments in the region, the Korean departments are playing a crucial role in revitalising and preserving the Korean language for the Soviet Koreans in Uzbekistan and Kazakhstan.

While numerous Korean churches in Kazakhstan and Uzbekistan, even in the rural areas, provide Korean language courses to Diaspora Koreans free of charge whenever they express an interest in it, such classes are not conceived of by the churches as being a part of any larger revitalisation effort. As Tashkent Pastor Lee Bumsuk explained, the Korean church is not seeking out Koreans per se, nor is the church attempting to play any direct role in a nationalising project (Pastor Le Bumsuk, Tashkent, personal communication, 2005). Nevertheless, the existence of Koreans in the region has made it possible for the church to gain a foothold in the titular states, and it has allowed South Korean missionaries to begin to foster a transnational network among co-ethnics. Now, many Korean churches, including American churches run by Korean-Americans, hold formal Korean language classes for church members as well as for other locals (including other Diaspora Koreans and titulars). Thus, these churches do effectively contribute to revitalisation activities, though it is not intentional on their part. In other words, their contribution to the revival of the Korean language (and Korean traditions) can be thought of as an unintended consequence of the missionaries' evangelising work. In addition to having different patterns of language revitalisation, there are also differences between Diaspora Ahiska Turks and Diasporas Koreans when it comes to the reason why they learn their mother language. By and large, Ahiska Turks have symbolic reasons for seeking language and cultural education; on the other hand, the Korean Diaspora seems to have more instrumental reasons. When the author asked Soviet Koreans what their goals were in learning Korean, many Koreans stated that learning Korean would be useful for professional opportunities. For example, one interviewee professed that he had chosen to learn Korean not because he had an interest in the nationalising project per se, but because he wanted to study or work in South Korea (or with a South Korean firm).

The narrative of Vladimir Pak, a 26-year old Korean from Tashkent, gives a better, more detailed idea of the issue. Vladimir grew up on a Korean collective farm in Politotdel near Tashkent, and he is a bilingual Russian-Korean speaker. After graduating from university, he took an internship with a South Korean firm in Seoul, where he worked as an apprentice for two years. There he learned to speak the standard Korean dialect, and for the last few years, he has been employed as a director of the TashCom Computer School in Tashkent, working under a South Korean manager (TashCom is a South Korean company). At Tashcom, Vladimir acts as his manager's unofficial liaison to the outside community, and he also translates and interprets for him. Vladimir considers it very fortunate that he grew up speaking Korean because he believes that it was his Korean language skills which helped him to get his internship in South Korea, and which helped him secure employment with a South Korean company in Tashkent. Consistent with this case, many Soviet Koreans acknowledge that having Korean language abilities certainly can work in their favour.

Compact Living versus Urbanisation

One characteristic feature of Korean Diaspora society in post-independence Uzbekistan and Kazakhstan has been its accelerated pace of urbanisation. This phenomenon is far more noticeable among Diaspora Koreans than among other nationalities (including the Ahiska Turks) in Uzbekistan and Kazakhstan. Table 5 summarises the urbanisation of the Korean Diaspora in Kazakhstan and Uzbekistan.

[Table 5]

Urban and Rural Population Ratios of Korean Diaspora Communities in Uzbekistan and Kazakhstan

Kazakhstan	Year	1970	1979	1989	1999
	Urban	73,1	80,1	84,1	87
	Rural	26,5	19,9	15,9	13
Uzbekistan	Year	1959	1970	1979	1989
	Urban	15	57	72	80
	Rural	85	43	28	20

Source: A.D. Pak, Demograficheskaia Kharakteristika Koreitsev v Kazakhstane i srednei azii (Almaty: 2002), pp.27, 42.

As seen from Table 5, at present almost 90% of Soviet Koreans live in cities in Kazakhstan and Uzbekistan, making them one of the most urban ethnic groups in Central Asia. Increasing urbanisation has been evident among Koreans since the 1970s, and it has involved a trend of migration from poorer, more provincial regions to wealthier, more cosmopolitan regions. This trend has brought about considerable demographic changes in the Korean community. The kolkhozes and sovkhoses, once the centres of compact living for Koreans in the Soviet Union, have witnessed a major reduction in the percentage of their Korean inhabitants. According to Tae Hyeon Back (2001), the present pattern of resettlement is better described as an exodus from farming areas to escape from economic problems than as urbanisation for the purpose of individual advancement (p.46). In any case, Soviet Koreans in their 30s and 40s who have any economic means have been leaving the countryside for the cities.

What is more, group resettlement is quite rare among these urbanising Koreans—most Soviet Koreans make the decision to relocate on the basis of their individual situations and inclinations. When asked the question, “Is it important to live in an area of compact living?” 68.7% of the Korean respondents stated that the existence of an area of compact living was essential for the preservation of their culture in Uzbekistan and Kazakhstan (Kim & Im, 2001). However, 57% revealed that they did not feel that they (personally) should live within a compact Korean settlement (Ibid). In fact, most urban Koreans do live more independently, confining themselves within small nuclear families, while most Ahıska Turks are settled in the rural areas of Kazakhstan and Uzbekistan and live in closely-knit communities (which help them to retain their language and traditions). The migration pattern of Ahıska Turks is also different from that of Koreans: rather than Korean-style individual migration, Ahıska Turks tend to migrate in groups. Thus, even in large cities, such as Almaty and Tashkent, Ahıska Turks form their own quarters in suburban areas in an attempt to maintain an area of compact living. Ahmet, an Ahıska Turks in Tashkent, said to the author: “We chose community over family life. [...] Instead of family unit migration, Ahıska Turks choose to be with other Turks first” (an Ahıska Turk Ahmet Ali-Osmanođlu Nabiyeu, Tashkent, personal communication, 2005). In sum, if they had the option to be with only their families in an area where there were no other Turks, many Ahıska Turks would decline this offer and instead choose to move to an area where there were Turks. Because of their emphasis on community, Ahıska Turks in Uzbekistan and Kazakhstan live closer together than do Koreans. To be sure, Ahıska Turks, especially those with a higher education, also show some signs of urbanisation and dispersion; however, even in such ‘exceptional’ cases, urban Ahıska Turks still preserve their traditions and ethnic identity, and they resist assimilation. When compared with the Korean Diaspora, Ahıska Turks do not at all seem to be losing the compactness of their closely-knit communitarian settlements; they do not at all seem to be disintegrating.

Clearly, the practice of endogamy contributes to the rigid structure and survival of the Ahıska Turkish community. Many village headmen in the Ahıska Turkish villages proudly mentioned to the author that they rarely give their brides away to men of other nationalities. To them, mixed marriages, even with other Muslim communities, were not acceptable. On the other hand, the proportion of inter-ethnic marriages among urban Koreans has risen significantly over the last ten to fifteen years. Today, such cases are more visible in Almaty (Kazakhstan) than in Uzbekistan: the Korean Diaspora community in Almaty tends to be more open and have more of a bohemian lifestyle in comparison to the Korean community in Uzbekistan. In Almaty, home to one of every five Koreans in Kazakhstan, approximately 40% of marriages take place across ethnic lines (Em, 1997, p. 43). As a result, the present generation of Diaspora Koreans includes a large group of marginal Koreans with a very weakly-developed ethnic consciousness. What is more, uncertainty about current socio-political changes has resulted in a general tendency among Koreans to have fewer children, which threatens to naturally depopulate the Korean Diaspora community. Certainly, the urbanisation and ‘nuclearisation’ of Korean settlement in the titular republics hinders the preservation of Koreanness as an independent ethnos. In this context, Korean Diaspora nationalists are currently anxious about a Balkanisation of what was once a single ethnic group, ‘the Soviet Koreans.’ Indeed, widening policy differences between Uzbekistan and Kazakhstan could lead to a vastly different range of living environments for Koreans. One way or another, this could affect the intra-ethnic solidarity of the ex-Soviet Koreans in Central Asia.

Conclusion

At present, the societies of Uzbekistan and Kazakhstan are being restructured and the respective titular nationalities are adjusting to being the newly dominant ethnic group. Whether the nationalisation process is successful or not, the higher birth-rates amongst the national population, coupled with the repatriation of members of this population from other countries, will force non-titular ethnic minorities in Uzbekistan and Kazakhstan to accept ‘Uzbekisation’ and ‘Kazakisation.’ While the current nationalising process does not restrict the Korean and Ahıska Turkish Diaspora movements in Uzbekistan and Kazakhstan in any systematic way, discrimination stemming from the nationalistic sentiments of the titulars can be felt in every sector of society. Since the break-up of the Soviet Union, the most fundamental change in the consciousness of both these Diaspora movements has been the recognition that they have no choice but to adapt to the current state ideology and its new nationalistic tendencies.

As mentioned, both the Ahıska Turkish and Korean Diaspora communities are composed of ethnic groups which Stalin deported from their homelands to the Soviet Union and which today have nowhere to go. Officially, they have not been desired in, or have been unable to move to, their original homelands. Consequently, the majority of Koreans and Ahıska Turks in Uzbekistan and Kazakhstan now seem to accept their status as ethnic minorities in the newly-independent ‘host’ states, and they are adapting rapidly. Currently, these two Diaspora communities are in the process of reconstructing their national identity or Diaspora identity in order to unify themselves. After the mid-1990s, the flow of emigration dropped off for both groups, and it has now become clear that a significant portion of the Korean and the Ahıska Turk Diaspora communities residing in Kazakhstan and Uzbekistan will remain in the region, at least for the foreseeable future. As seen from the main text, however, the decision to stay is not necessarily a portent of full-scale assimilation. Both communities are busier than ever before revitalising their traditions and languages in their host-countries.

Since the beginning of the 1990s, when the Soviet Union was dissolved, many Korean solidarity associations and other diasporic groups have emerged in Kazakhstan and Uzbekistan. Moreover, recently, many people have been uncovering their Korean identity and registering themselves with Korean associations in various places in Uzbekistan and Kazakhstan. Arguably, the driving forces of

the Korean Diaspora community's current vigorous activities are the abundance of well-educated Korean intellectuals and continuous material support coming from the homeland, i.e., South Korea. While the Ahıska Turks have had many problems since the dissolution of the Soviet Union due to a lack of cadre and funding for the reorganisation of their associations, the Korean Diaspora community has not faced such problems during its revitalisation movement. In comparison with the ex-Soviet Koreans, the relative lack of an intellectual stratum among the Ahıska Turkish population has led to their organisational weakness. In fact, in the period immediately after the Soviet Union dissolved, the shortage of well-educated urban Ahıska Turks, along with the emergence of the titulars as competitors in the economic field, caused the Ahıska Turkish Diaspora to miss its opportunity to mediate between their host-states and homeland. In sum, despite the fact that Ahıska Turks preserved their ethnic identity and language far better than Diaspora Koreans did during the Soviet period, the post-1990 Ahıska Turkish Diaspora movement is incomparably weaker and less active than its Korean counterpart. This reveals the great importance of cadre and funding for Diaspora movements.

Since the independence of the titular nations, i.e., Kazakhstan and Uzbekistan, the South Korean government has overtly and continuously announced its intention to its Korean Diaspora that it would not repatriate its co-ethnics in the region, but it has also guaranteed to help and protect their peaceful and prosperous future in the states in which they reside. The Korean's homeland's firm, consistent policy has caused the Korean Diaspora communities to vest their futures in the titular states and actively participate in Diaspora activities (including politics) to maximise their benefits and advantageous position in their new home. Many Soviet Koreans in Kazakhstan, Uzbekistan and even South Korea have been able to capitalise on their shared ethnicity to further their socio-economic prospects. In contrast, Turkey's lack of a firm position towards the Ahıska Turks has left the Ahıska Turks in a situation like that of stray sheep. Many Ahıska Turks have defined their situation in Uzbekistan and Kazakhstan as exile. They can neither vest their future in the titular states nor can they realistically imagine a future in their avowed homeland, Turkey. Accordingly, the Ahıska Turks' Diaspora community is not successfully revitalising at the moment. Many Ahıska Turks hope to see Turkey show a certain interest in, and responsibility for, them. Rather than material support, many actually want to see Turkey register a public claim for them, even if only symbolic.¹⁵ Many Ahıska Turks believe that this sort of action from Turkey would protect their rights and decrease discrimination in the titular states. In the final analysis, Turkey's uneven course of action between official policy and informal practice has not helped the survival of the Ahıska Turks as a Diaspora community in the region.

Recent urbanisation and intermarriage are seen as the trends most threatening to ethnic identity, both for the Ahıska Turkish and Korean Diasporas. Of course, one may also point to the existence of similar challenging trends to the ethno-national culture in their very homelands, i.e., Turkey and South Korea, in the face of globalisation or Westernisation. Diaspora associations play a critical role in developing Diaspora consciousness and preserving ethnic identity; however, these associations have limitations in their ability to support such activities due to the lack of funding and cadres. Thus, Diaspora activities should be linked to, and carried out in cooperation with, the homeland because engagement between homeland and Diaspora inherently catalyses cultural revival and the re-imagining of co-ethnic identity. Fortunately, the homelands of both the Ahıska Turkish and Korean Diasporas have the ability to support these activities. The homeland's level of commitment to its Diaspora communities is a key factor in preserving the Diaspora's ethnic identity and its survival. Since the nationalising titular regimes emerged in Central Asia in 1991, the Ahıska Turkish and Korean Diasporas have been able to have various contacts with their own homelands. Turkey's and South Korea's strong commitment to, and continuous engagement with, their own diasporas has the potential to revitalise the Ahıska Turkish and Korean diasporas' ethnic identities and culture of dispersed Ahıska Turks and Koreans. This is perhaps the only way that these Diasporas' cultural

survival and distinct identity can be maintained, unless their homelands summon the willingness to repatriate them.

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Human Trafficking in Central Asia

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Introduction

Human movements from one place to another have been common throughout history. But today, human movement is the result not only of individual and collective efforts to improve living standards, but also of enormous social and cultural factors that have affected this trend. In the mid-1990s, human trafficking was seen among migration trends. Since then, human trafficking has undoubtedly become one of the world's forms of modern slavery. Human trafficking is the most profitable form of organised crime, next to drug and weapon trading, with a profit of between 7 and 10 billion dollars (U.S. Department of State, 2000). The Central Asian Republics and Eastern European countries have become the newest sources of human trafficking, with victims being transported to Western Europe and the United States for the purpose of sexual exploitation.

The Commonwealth of Independent States (CIS) is considered to be the most important source of human trafficking in Asia (Trafficking in Migrants, 2001). Central Asian countries, after the collapse of the Soviet Union, have faced several problems, including issues of ethnicity and identity, internal conflicts, limited industrial and agricultural production, unemployment, income reduction, inflation, and illegal migration, including human trafficking. These problems are internal and the grounds for understanding the expansion of human trafficking networks in these republics. This article surveys the sources of human trafficking in the Central Asian republic.

Internal issues in these republics, coupled with the negative effects of globalisation, such as the blurring of borders, increasing needs, communication facilities, inequalities, economic opportunities in developed countries, and the shortage of cheap labour in these countries, have led to the currently high prevalence of human trafficking (Koolae, 2008).

In short, there are both physical and psychological grounds by which to explain the expansion of human trafficking networks in these republics (Deceived Migrants from Tajikistan, 2001).

Migration falls into two categories, one of which is forced migration due to military attacks or natural disasters, for example. Such migrants usually seek refuge in other countries. The second type of migrant is one in search of a better life (IOM, 2003, pp. 9-11). According to the International Organization of Migration (IOM), 185 million people are living outside of their birth place; they constitute 2.9 percent of the world population. Human trafficking, therefore, is seen as subcategory of migration in which people are transported by force, deception or threat. In essence, human trafficking is both exploitation and a violation of human rights as victims lose control of their lives. Human trafficking is not easily distinguishable from migrant smuggling. Of course, there is one factor that separates these two categories: coercion and pressure. Human trafficking, illegal migration, prostitution, and sex tourism are indeed complex issues which, because of their synonymy, are often mistaken for one another (IOM, 2000, pp. 20-24).

There are various definitions for human trafficking. From the human rights perspective, human trafficking includes all aspects and consequences of smuggling with the aim of sexual exploitation, and therefore it is a form of smuggling. Based on the first paragraph in Article 2 of "The Protocol on Combating Migration Smuggling by Land, Sea and Air," annexed to "The Convention on Combating Transnational Organized Crimes," migration smuggling is defined as the illegal transfer of persons to countries of which they are neither a citizen nor a permanent resident, with the aim of achieving direct or indirect financial gains or other material benefits (The Protocol on Combating Migration Smuggling by Land, Sea and Air).

Human Trafficking in Central Asia

Based on 2004 statistics, every year between 800 and 900 thousand people are trafficked across the borders of Central Asian republics. These countries provide the newest sources of human trafficking to Europe and North American countries for prostitution and sexual exploitation. Although prevalence of the trafficking of women and children has increased in this region, the amount of research and the number of studies on this subject has remained limited (The U.S. and International Response, 2004). In spite of international laws on combating human abuses, especially in regard to women and children, the fight against human trafficking in this region has not yet been seriously enforced. The ignorance and unwillingness of the Central Asian Republics to publicly discuss the issue of illegal migration has only added to the problem. Equally important is the fact that these republics, similar to practice in the Soviet era, have withheld relevant information. Without the necessary transparency and political will, it is almost impossible to discern the real dimensions of human trafficking, and will therefore lead to a very serious challenge for future stability.

In the Central Asian Republics' political agendas there are no legal protective shields for the victims of human trafficking, despite the nature of the practice. In many countries, there are several methods by which traffickers can escape the law and continue participating in their illegal activities. For example, in Kazakhstan, the punishment for deceiving women and forcing them into prostitution is two to five years in prison, and the punishment for prostitution is three years in prison (A Human Rights Report, Kazakhstan). In addition, cooperation with the police saves traffickers from either going to trial or being imprisoned. Most of the time, gangs of traffickers pay ransom to border officers, police officers, and judges in order to get away with their illegal operations. Corruption and bribery among government personnel and law enforcement officers have clearly improved the ease in which traffickers have been able to operate in the Central Asian republics, as demonstrated by IOM studies carried out in Kazakhstan.

In Central Asia it is easy to travel to neighbouring countries as visas are not required. This can explain the increased movement of people in this region (Trafficking in Women and Children from the Kyrgyz Republic). According to one report, approximately 200 to 400 thousand migrants are in search of work in these republics. As a result, unskilled workers have fallen into the traps of traffickers who plan to sexually exploit their victims (Deceived Migrants from Tajikistan, 2001). The trafficker's criminal activity is made easier in some countries, by receptive law systems which have legalised prostitution. This situation, no doubt, has helped traffickers to continue exploiting victims sexually, and transport them to the destined countries. Countries such as Uzbekistan and Kyrgyzstan even recognise prostitution as a profession and a form of economic activity.

Studies show that human trafficking methods often take place Turkey, China, and in countries of the Persian Gulf, Russian Federation, and Eastern Europe because of limited work opportunities and low levels of incomes. Reports imply that a few thousand women, with the promise of false professions (such as mannequin, saleswoman, and waitress) are trafficked and forced into different jobs in the destined countries. A study on a hundred trafficked women show that most of them became sexual slaves and 62 percent of them sold their bodies without monetary compensation. These reports show that two Uzbek women, with the promise of becoming mannequins by an American woman in her country, had their passports stolen upon entry and were forced to work in dance clubs. In another case, one Uzbek girl, with the promise of a job in a home in the United Arab Emirates, was forced into becoming a sexual slave (A Human Right Report, Uzbekistan, 2002). These people, because of financial needs believed the promises of high income and consequently fell into the traps of traffickers.

Economic reconstruction in Tajikistan, after the collapse of the Soviet Union, coupled with internal war (Koolae, 1996, pp. 68-69), rendered Tajiks to migrate to regions such as the Russian Federation, Kazakhstan, Kyrgyzstan, and, to a small extent, to Uzbekistan and Turkmenistan, all of which do not ask for entry visas. Low cost land route trips among Central Asian countries are very easy, especially because studies have shown that highly ranked personally of national security forces are often involved in trafficking themselves (as is the case of 10 government officials working as traffickers between Tajikistan and the United Arab Emirates). Air transport, however, is subject to much more severe control and is much more expensive. Trip expenses include transportation costs plus paying ransom to border control officials or executive authorities. In some cases, traffickers have connections with airline agencies that will obtain necessary work permits for the victims through contacts with the relevant authorities (Deceived Migrants in Tajikistan, 2001). In order to pay back their debt for the work permits, the trafficked women have to work hard, usually in the sex trade where they will be sold as a commodity.

As a result of many factors, trafficked women are commonly dependent on traffickers. In the case of whore houses, measures are taken to prevent victims from contacting their families, which therefore prolongs the length of victims' work, and their indebtedness (Deceived Migrants in Tajikistan, 2001). This dependence of traffickers is further increased because the victims of human trafficking do not speak the language of the destined country. In addition, victims are threatened by rape and that their profession will be reported to local authorities by their traffickers. According to statistics, 15 percent of Tajik women in this activity are addicted. Traffickers sign unjust deals with victims, who do not know their rights, and make them house servants.

In response to these crimes, the Tajik government's Department of National Security has been trying to raise its policies to the international standards by increasing its efforts to reduce the ease in which traffickers obtain false certificates. The Interior Ministry has established a special section in order to conduct research on prostitution and human trafficking, and to cooperate with the office of the Prosecutor General office. The government, in another effort, has established a youth committee in order to raise awareness about human trafficking. The signing of a protocol related to the prohibition of human trafficking is also note worthy (Deceived Migrants from Tajikistan, 2001). Despite these efforts of the Tajik government, their policies and successes, in comparison to those of Kazakhstan, Kyrgyzstan and even Uzbekistan, are still in a preliminary stage.

Kyrgyzstan is known as another main source of trafficking. A wide-range of activities related to human trafficking from forced labour to prostitution exists in this country, making it a very complex national issue. The government has pursued different efforts, such as educating the public to raise awareness about this issue as a preventative measure. Based on a report by the Executive Centre on Human Trafficking, the number of such efforts has increased notably in the last two years. Studies show that incomplete laws and a lack of secure mechanisms for protecting victims are among the causes which have led to the rise of this phenomenon. In spite of the efforts of NGOs to raise people's consciousness about the issue, the Kyrgyz government authorities show little interest in this issue. Interest in issues of human trafficking, and the need for legal actions against it, is currently limited. People's representatives and public establishments have come to the following conclusion: the most effective method by which to institute successful policies is to address human trafficking by replicating those of Russia and Ukraine (Winrok International).

Migration in this region takes place from poorer to richer republics (IOM, 1997-1998, pp. 76-77). Based on an IOM report in 1999, about four thousand Kyrgyz women have been trafficked, from Kyrgyzstan, one of the poorest countries in the region, to the Middle East, Russia, Turkey, and Central Europe. Seventy-five percent of Kyrgyz women are in bad economic situations (A Human Right Report

on Trafficking of Person, Kyrgyzstan, 2002). A great number of Kyrgyz women, while they could be cared for by relatives in Kyrgyzstan, often leave home in search of a good job and a better life, but are often forced into prostitution to make the ends meet (Trafficking, Kyrgyz Republic, 2000).

Uzbekistan is neither a main source nor on a main transit route of human trafficking in the region (IOM, 2001-2002, pp. 140-145). Uzbekistan is the main source of trafficked people to countries of the Persian Gulf, South Korea, Kazakhstan, America Thailand, and Greece. These trafficked women are not only Uzbek, but also Tajik women who come to Uzbekistan to benefit from better systems of communication. Based on 2004 Uzbek national security reports, approximately 300 thousand women are involved in the sex industry (A Human Right Report, Uzbekistan). Explanations for this high number include the typical situation in which an estimated 50 percent of women Tajik and Uzbek village women migrate to the cities of Dushanbe or Khojand and are subsequently faced with financial problems. Traffickers in this region use tourism agencies in order to cover up their illegal activities and are known for transporting victims to Israel, Kyrgyzstan, and Kazakhstan, either as a final destination or a country of transit (A Human Right Report on Trafficking Persons, Uzbekistan, 2002). This republic, similar to other republics in Central Asia, has not pursued any serious action to combat human trafficking (IOM, 2003, pp. 261 – 269). Lower statistics of human trafficking in Turkmenistan are basically the result of government limitation on human movements in this country.

Kazakhstan, among the Central Asian countries, is a source, destined and transit country (IOM, 1997–1998, pp. 74–75). Victims from Uzbekistan, Tajikistan and Kyrgyzstan are brought to Kazakhstan. They are then transported to countries of the Persian Gulf, the United Arab Emirates, Greece, France, Italy, Portugal, Sweden, Belgium, South Korea, Turkey, and Israel. About four to seven thousand Kazakh women (the richest republic in the region), in search of jobs and better life abroad, fall into traffickers' traps in order to manage and care for their families (A Human Right Report, Kazakhstan). The Kazak government has not followed any serious efforts to prevent human trafficking, and it is even listed as one of the 14 countries that have exhibited poor control of, and limited interest in, the issue. But in spite of all these matters, the country's interior ministry, in cooperation with representatives of a research commission, has begun to distribute information in schools of 16 districts in Kazakhstan with the help of non-governmental organizations (NGOs) as a preventive action. Kazakhstan also has multilateral cooperation with South Korea, the United Arab Emirates and Turkey. However, it still has no programs to support the victims in criminal courts (Kazakh TV, 2002).

The analytical results of the articles show similar responsibilities of governments in terms of the criminal laws of Tajikistan, Uzbekistan, Kazakhstan and Kyrgyzstan. Despite its prevalence, human trafficking is not a recognised problem in Turkmenistan. While the government has declared human trafficking as an undesirable crime, it has not demonstrated any real concern for the issue. There are no supported counter-human trafficking programs including clear laws which prohibit human trafficking or pursue or punish traffickers, border management, or any programs addressing bribery in Turkmenistan. The country has not yet implemented an educational program and has not supported the activities of NGOs in this regard (Trafficking in Persons, Turkmenistan, 2004-2005).

Conclusion

In the fight against human trafficking, the laws and cultural norms in the countries of the region seem to act as obstacles themselves. Inflexible gender roles, coupled with sexual discrimination in patrilineal societies have left women more vulnerable. Effective measures to be taken against the trafficking of women and children should include necessary actions in terms of preventing trafficking, the punishment of traffickers, and the support for victims of such crimes. Standardising internal

human trafficking laws with international norms and approving protocols related to the Convention on the Fight against Human Trafficking are equally important.

Applied approaches in other countries and international institutions are divided into four groups: criminology, preventive measures, and support for victims, and international cooperation — including both legal and preventive measures. In the criminology section, it is not enough to sign or approve regional and international agreements. Instead, governments must undertake proper measures to implement necessary preventive measures including education, the raising people's consciousness, supervising and controlling travel and employment agencies' activities, upgrading standards related to receiving identification cards, and tougher punishments for such crimes.

In addition to addressing prevention and subsequent criminal action, support for the victims is similarly critical. This support can be in the form of the permission to sue the traffickers, the possibility of receiving compensation and free legal consultation, the provision of mental, medical and financial aids, and the protection of victims' identities for their own safety (Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children). International instruments for essential coordination of policy making against human trafficking are very important. Governments can cooperate with one another by signing related documents for the punishment of traffickers and correcting their internal laws. Results of the latest research, done in Central Asia, make note of the alarming increase in the prevalence of human trafficking in this region. But these countries' efforts against human trafficking have not increased in a similar way. It is because of their minimal efforts that governments have failed to distinguish between trafficking and prostitution and address the lack of access to education and economic opportunities. As a result, the number of human trafficking cases has increased and might continue to do so. Policy makers, in cooperation with NGOs and international organisations, must therefore use sufficient methods and means to effectively plan and implement necessary policies to combat human trafficking in the region.

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The Impact of African Illegal Migration to Europe on Euro-African Relations

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Introduction

In May 2003, the five 'core' states of Europe (Great Britain, France, Italy, Spain and Germany) created a new alliance, the G-5, to collectively fight illegal migration and terrorism. Nicolas Sarkozy, then France's Interior Minister, suggested the creation of a 'security zone' on the western Mediterranean Sea. Three European states (Spain, France and Italy), along with the three North African states from which most illegal migrants come (Morocco, Algeria and Tunisia), formulated the so-called '3 plus 3' project in order to stop illegal migration from North Africa to Europe (Dietrich, 2005).

With its tight southern border control policy, its strict migration policy, and its increasing cooperation with African states, the European Union (EU) attempts to secure itself within and outside of Europe, yet the EU's security-minded actions have often led to it being criticised as 'Fortress Europe.' This paper discusses the various patterns of African crisis, the rising illegal African migration to Europe and the EU's response. Its objective is to discuss the impact of African migration to Europe on Euro-African relations, and to answer the following question: to what extent does EU migration policy address the real causes of African migration to Europe? Without denying the impact of African illegal migration on Europe's security, this paper pleads for humanitarian values in European migration policy. It is obvious that Europe cannot solve the problems of Africa, but at the same time it is important to recognise that victims of conflicts and structural violence should not be systematically mistreated on the pretext of securing Europe against potential terrorists and human traffickers, especially when doing so could threaten the very humanistic values upon which Europe is built.

The EU's Security

Security, according to Biscop (2005), is the condition of being protected from or not exposed to danger. On 12 December 2003, the European Union issued a security report, known as the European Security Strategy, which lists the global challenges threatening European security as hunger, malnutrition, AIDS (and other diseases), poverty, and conflicts in a number of countries. In addition, the European Security Strategy identifies other key threats which Europe is facing or might face, including terrorism, the potential proliferation of WMDs, regional conflicts in Africa as well as in other parts of the world, state failure and organised crime. The strategic objective of the EU is to cooperatively address these threats by fighting terrorism, implementing policies against proliferation, dealing with regional conflicts, 'putting failed states back on their feet,' acting before a crisis occurs, preventing conflict, etc. According to the Strategy, if the European Union and the United States act together in the face of these threats, they can be a formidable force for good in the world. The EU's relationships with different partners, including those in Africa, would contribute to an effective multilateral system leading to a fairer, safer and more united world (European Security Strategy, 2003).

One of the key concepts of the European Security Strategy is 'comprehensive security.' The starting point of the strategy's comprehensive approach is the recognition of the interdependence between all dimensions of security —political, socio-economic, cultural, ecological, military— hence the need to formulate integrated policies taking all of these dimensions into account. This comprehensive approach furthers the overall objective of 'effective multilateralism,' and it builds towards 'a stronger international society, well-functioning international institutions and a rule-based international order.' At the global level, the EU urges others to pursue this objective mainly through the United Nations (UN), which the Strategy sees as the core of the international system, and its other global and regional partnerships and organisations. With regard to its 'neighbourhood,' the EU should itself assume a leading role in order to "promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom the EU can enjoy close and cooperative relations" (Biscop, 2005, p. 24). The same approach is to be followed at both the global and regional levels: dialogue, cooperation, and partnership

in all fields of external action, and the utilisation of the whole range of political and diplomatic instruments at the disposal of the EU.

The success of the above approach is dependent on the stability of the international system and on an integrated external policy. This external policy should not only cover all three pillars of the EU, it should also cover specific issues such as humanitarian aid, development cooperation, international environmental policy, international policing, justice and intelligence cooperation, foreign policy (multilateral diplomacy and the promotion of EU values), politico-military action (including ESDP), and immigration policy (European Security Strategy, 2003; Biscop, 2005, pp. 23-24; Müller-Brandeck-Bocquet, 2007; Schukraft, 2007, pp. 127-194).

Migration and European Security

The EU views the increasing flow of migrants from Africa as a key threat to its security (Tampere Conclusions of the Council, 1999; The Hague Programme, 2004). The number of African migrants attempting to enter Europe has increased during the past years. In 2005, 22,939 illegal migrants were registered entering the Italian island of Lampedusa, and already between January and August 2006, 14,567 more newcomers arrived there. Similarly, in 2005, 11,781 African illegal migrants arrived at the Spanish Canary Islands and already between January and July 2006, 17,058 new arrivals were registered entering. In Malta, 1,822 illegal migrants entered in 2005, and 1,502 more came between January and August 2006. The enclaves of Ceuta and Melilla in North Africa, which are politically contested by Spain and Morocco, have become less of an issue now that the two states have intensified their cooperation in curbing the inflow of illegal African migrants.

According to media and various reports, North African migrants in particular are becoming increasingly involved in Islamic fundamentalism and terrorist activities in Europe. Young people from the so-called collapsed, failed or weak states of Eastern and Northern Africa were among the ten, who coordinated the deadliest-ever terrorist attack on Spain, in which 191 people were killed in Madrid on 11 March 2004 (Rotberg, 2003, 2005). Terrorist attacks such as this one (and the 7 July 2005 suicide bombing in central London, which killed 52 people and injured more than 770) have become one of the urgent security concerns forcing the EU to integrate its migration policy into security policy. Young Islamists from North African states (such as Nigeria, Somalia, and Sudan) who migrate to Europe are increasingly feared as potential terrorists. As the EU Security Strategy of December 2003 maintains, drug trafficking, diseases such as HIV/AIDS and criminality are all problems exacerbated by increasing illegal immigration, which especially affects southern European countries. Faced with these transcontinental challenges, various efforts are being undertaken on the policy as well as academic levels to understand and address the causes of the rapidly increasing African illegal migration to Europe.

Causes of the African Crisis

Political violence and poverty in Africa are considered to be the main push-factors of migration. State collapse, failure and weakness in Somalia, the Democratic Republic of Congo, Liberia, Sierra Leone, Sudan, the Ivory Coast, Chad, the Central African Republic, Zimbabwe, Nigeria, Ethiopia, etc. have regional as well as transcontinental implications and are all, to various extents, affected by violence and poverty. In Zimbabwe, human rights violations, brutality towards political opposition and an inflation rate currently approaching 4,500% are devastating the economy and society. In Western Sudan, there is currently no end in sight to the Darfur conflict, which has killed at least 200,000 people, displaced 2.5 million people internally, and sent another 200,000 people as refugees into Chad.

As for Nigeria, despite the \$400 billion in oil revenue the country has earned since the early 1970s, its crude oil output of 2.1 million barrels per day, and its roughly 184 trillion cubic feet natural gas reserves, it is one of the highest 'migrant producers' in Africa because of the \$35 billion it has in foreign debt, the 60% of its population which subsists below the poverty line, the average life expectancy of 47 years, and the fact that than \$380 billion has either been stolen or wasted by successive Nigerian government administrations since the country's independence in 1960. There are many similar problems in the Democratic Republic of Congo. While the Congo boasts huge reserves of gold, some 30% of the world's diamond reserves, more than 70% of the valuable mineral coltan and vast deposits of cobalt, copper and bauxite, it was also home to a bloody civil war from 1998 to 2002 which killed at least 4 million people. Despite the 17,000 UN peacekeepers currently stationed there (and their \$1 billion peacekeeping budget), currently more than 1,000 people are dying every day from war-related causes (including disease, hunger and violence).

In the divided Ivory Coast, the situation is also very unstable, especially since the recent coup plot. The collapsed state of Somalia has been in chaos since 1991, and it seems to be a potential breeding ground for terrorists and radical Islamists. Corruption and undemocratic institutions in most African states have resulted in the continent's current indebtedness of \$300 billion. These and similar institutional weaknesses play a considerable role in pushing African migrants towards Europe. A formidable challenge related to these African crises and to illegal migration is the increasing levels of Islamic fundamentalism not only in North African states such Algeria, Morocco, Tunisia and Egypt, but also in Somalia, Ethiopia, Kenya and Nigeria. Various studies show that many Islamic fundamentalists from collapsed, failed and weak African states are heading for Europe.

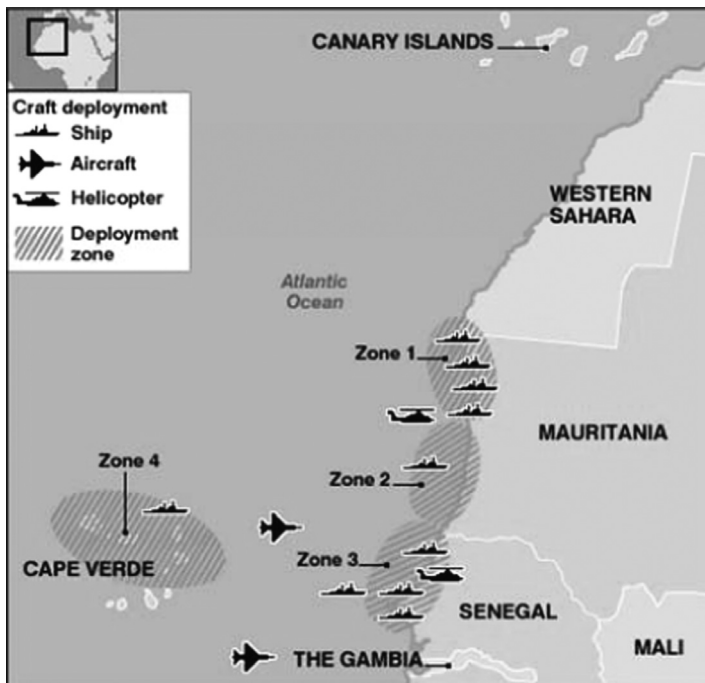
The EU's Response

To address these challenges, Spain in particular and the EU in general have been developing various measures. Spain now equips its security forces with a new radar system, day/night vision cameras, a tear gas diffusion system, and detection wires (BBC News, 2005). Coordinated by FRONTEX (the EU agency charged with the operational organisation of border control), various European countries now attempt to monitor the Mediterranean and Atlantic by operating patrol boats, planes and helicopters off the shores of Mauritania, Senegal and the Cape Verde Islands along the main transit route from Africa to the Canary Islands (European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union).

Principal Maritime Joint operations at the Southern Border		
Operations	Participating States	Missions
Alhambra (06.2005)	DE; SP	Surveillance of Spanish Waters
Fer IAS (10.11.2004; Fer IAS II 2005)	DE; GR; IT	Inspect merchant ships in Adriatic
Guanarteme (01.2005)	CY; DE; GR; IT; PT; SP	Counter clandestine immigration around the Canaries
Hera I (17 July -31 Oct. 2006)	DE;IT ;FR; PT; UK, NL, NO	Expert to the Canary Islands to aid in the Identification of migrants
Hera II (11 August 2006)	IT, PT, FN, ES	Control of the area between the West African coast and the Canary Islands
Neptune (Sep. 2003)	CYP,F,DE,GR,MA,UK,NL,ES,EUPOL	Controlling Mediterranean
Nautilus (5-15 Oct 2006)	DE, F, MA, I, GR	Controls around Malta and Italy
Poseidon June - July 2006	A, IT, PL, UK	Eastern Mediterranean Sea area and on the Greek - Turkish land border
RIO IV (05.2003)	DE; DK; ES; FN; FR; NO; PT; UK	Improve border control systems in ports of candidate state
Triton I (03.2003; Triton II 12.2004; Triton III 08.2005)	FR; GR; IT; IT; ES	Erect joint sea border controls off south-eastern Mediterranean
Ulysses (01.05.2003)	ES; FR; IT; PT; UK	Erect sea border controls off north Mediterranean and Canaries

Source: http://www.swp-berlin.org/en/common/get_document.php?asset_id=3225, August 2006; http://www.frontex.europa.eu/examples_of_acomplished_operati/art4.html

The following graphic shows the FRONTEX operation:



Source: <http://news.bbc.co.uk/2/hi/europe/5331896.stm>

FRONTEX, established by the Council Regulation (EC) 2007/2004 of 26 October 2004, aims to be a trustworthy, operational coordinator and contributor in the field of external border management on the Mediterranean and Atlantic. The main tasks of FRONTEX are coordinating operational cooperation between Member States with regard to the management of external borders; developing a common integrated risk assessment model; helping Member States train their national border guards; conducting research relevant to the control and surveillance of external borders; assisting Member States technically and operationally at external borders; and supporting Member States in organising joint return operations. FRONTEX's border control and the Spanish fence project in Ceuta and Melilla are often criticised as 'Fortress Europe' projects, although many others argue that the EU does not have any intention of fortress building.

In fact, the EU considers its aggressive border control measures as a preventative operation to locate and identify illegal boats and to escort any such boats back to African waters immediately. In addition, some European countries have already entered bilateral arms agreements with North African states such as Tunisia, Egypt, Algeria, Morocco, and Libya in order to reinforce their coastal defence capacities and to help stanch the influx of African migrants (Dietrich, 2005).

The EU's strategy regarding migration and security is three-pronged, involving 1) a common asylum and migration policy, 2) cooperation with third countries and 3) tight border controls. Having agreed upon the Tampere Programme guidelines for EU migration policy between 1999 and 2004 and the 2004 Hague Programme guidelines for the years 2005 to 2010, the EU envisages the harmonisation of migration and asylum policy as well as the establishment of minimum standards of protection.

In regards to the control of maritime borders, the EU Commission's communication to the Council on 30th November 2006, suggested plans to adopt a two-pronged approach, involving 1) fighting illegal immigration, protecting refugees, and reinforcing control and surveillance of the external maritime border, and 2) strengthening cooperation with third countries in the context of the Association Agreements and European Neighbourhood Policy Action Plans (for North African states) and in the context of the Cotonou Agreement (for Sub-Saharan African states).

A key aspect of the Hague Programme is the 'external dimension' of the migration policy of the European Union. Because poverty and conflicts in Africa are considered to be the main push factors behind illegal migration, securing Africa politically and economically is the core of the 'external dimension' of the Hague Programme. The EU has intervened to secure and stabilise the Democratic Republic of Congo by carrying out security sector reform and police training. Even though the EU does not explicitly acknowledge that its actions in the Congo are 'military intervention,' it does in fact intervene militarily, at least in a partial way, so that those from the crisis region do not leave their countries of origin and head for Europe.

The Declarations of the Euro-African Conferences on Migration and Development in Rabat (in July 2006) and in Tripoli (in November 2006) developed measures to manage African migration to Europe. According to the Declarations, migration management depends on partnerships between the countries of origin, the countries of transit, and destination countries. Since poverty and conflicts are believed to be the causes of illegal migration, various strategies have been outlined to address these problems, and these strategies focus on working towards the following key objectives: good and effective governance, sustainable environmental policies, and the integration of Africa into global trade, peace, and coherent international policies of development cooperation. In addition, further measures to address the transcontinental challenges include facilitating legal migration, integrating legal migrants, protecting migrants through the rule of law, fighting illegal migration, controlling borders in the countries of origin and transit, fighting human trafficking through strengthened police

and judicial cooperation, setting up efficient readmission systems, setting up appropriate financing mechanisms, creating coherent plans of action, and developing partnerships between scientific and technical institutions. These strategies are meant to deal with the systemic crises of Africa: namely, underdevelopment (especially in rural areas), political conflicts, HIV/AIDS and other infectious diseases, and unchecked population growth.

There are various sociological theories that attempt to explain the causes of migration. According to these theories, migration:

- is a human collective or individual spatial movement;
- is the physical transition of an individual or a group from one society to another;
- is caused by a disequilibrium of the hoped-for ‘standard of living’ and the actual ‘scale of living’;
- is undertaken after having considered the attendant advantages and disadvantages;
- is a process of de-socialisation;
- is a process of absorption which involves giving up a former identity;
- demands adaptation of behaviour;
- demands integration through a learning process;
- demands 1) cognitive assimilation, 2) social assimilation through interaction, 3) structural assimilation through institutions, and 4) identificative assimilation through the adoption of the new environment’s values.

According to economic theories, factors that promote migration are:

- capital supply and labour supply disequilibrium;
- social hierarchisation (labour-intensive ‘3D’ — dirty, dangerous, and difficult — jobs attract more migrants);
- the world capitalist system and global markets (world systems theory);
- the migrants’ cost-benefit-analysis;
- households, which decide on the migration of an individual rather than the individual making his own choice (new economic theory of migration);
- strict migration laws, which contribute to the emergence of pro-migrant institutions and thereby paradoxically encourage the arrival of new migrants (institutional theory);
- the interplay of historical, economic, cultural and political linkages between the origin and destination countries (unified migration systems theory).

Other Push-Factors of Migration besides Poverty and Conflicts

The impact of ‘third-world-tourism’

Third-world tourism has always been highly criticised because of its negative impact on the host countries’ societies (Hinterleitner, 1996, p. 39). Many claim that the negative impact of tourism adversely affects not just socio-economic development, but the whole culture of a society. Tourism regions usually adapt their lifestyle to the demands and offers of tourists, and as a consequence, independent development is much harder to attain. In most cases, such changes are difficult for the local population to handle because they often become hosts involuntarily (May 1988, in Hinterleitner, 1996, p. 42). Tourists often have alternative patterns of behaviour and consumption than the host society, and whether the local population tries to imitate the culture of the tourists, reacts with discontent and resignation, or tries to adapt local traditions to the commercialisation within the tourist region, the impact of tourism on undeveloped, southern countries is mainly negative, according to Krippendorf (1988, as cited in Hinterleitner, 1988, pp. 42-43).

The impact of media on emigration

So far we have seen various theories which have tried to explain the issue of migration. However, one important aspect which is not given due consideration in these migration theories is the role of media. The modern, de-territorialised media makes available all kinds of information to all kinds of peoples in every corner of the earth (Pietraß, 2006). In modern complex societies, there are eight large groups of socialising agents: families, peer groups, work groups, churches, legal agencies, schools, organisations (such as trade unions), and mass media. The knowledge, norms, and skills mediated by the mass media cover the whole range of culture —from concrete, specific, implicit, lived culture to abstract, general, explicit and formalised culture. The mass media of modern society is thus able to take over large parts of the socialisation carried out both in informal groups (such as peer and work groups) and formal organisations (such as schools and trade unions). A number of scholars have observed that the mass media has indeed taken over socialisation functions formerly fulfilled by family, churches, and schools. In the end, there is interaction not only between individual and socialising agents, but also among the socialising agents themselves. It is within the parameters of such double interactions that we are all being continuously socialised, and it is within such parameters that the media functions as linkages in the social fabric (Rosengren, 1988, p. 91).

The media has a large impact on the development of the individual and plays an important role in society. Hinterleitner (1996) defines the media's impact on countries in the southern part of the world as negative (p. 26). The main direction of the world's information flow is from the north to the south, which has a variety of consequences on countries in the south, one of which is an increasing outside cultural heteronomy. Since most Africans obtain knowledge about other cultures via the media, there is a problem when the information provided by the media does not correspond to reality. In fact, the media has a positive impact on the African migration decision only because it gives a distorted image of Western reality.

The media's messages can be interpreted in very different ways depending on one's environment and social background. The various ways in which different audiences react as they select from and reinterpret for their own purposes the media materials that they consume is influential in their decision to migrate. The interpretation of the media's messages might not have anything to do with reality and, as mentioned before, it could still have an impact on the migration decision. This is problematic in the case that the migration decision would have been different if the individual deciding had not obtained his information via the media. As a consequence, the media (and its method of showing the living style of other countries) could be perpetuating illegal migration, and thereby indirectly perpetuating the problems associated with illegal migration.

In the 1990s, a high number of Albanians crossed the sea to immigrate to Italy. Lured by the images of success that were provided by the imaginary world of television, Albanians flocked to the country that fuelled their hopes and desires (Barjaba et al., 1996, pp. 32-35; Vehbiu/Devole, 1996, pp. 29-30; Mai, 2001, p. 95). Even though in Albania watching Italian television was forbidden until 1985 and was punishable by a sentence of up to 7 years in jail, the majority of Albanians watched Italian television at night; according to several interviewees, Albanians were fascinated with Italian TV because its colours, beauty, and entertainment contrasted sharply with the 'dark and uniformly grey cultural landscape offered by Albanian television' (Mai, 2001, p. 100). "What Albanian people appreciated most in Italian television was a cultural landscape of pleasure and beauty which both responded to and surpassed their most audacious fantasy" (Mai, 2001, p. 101).

In terms of 'perceived prosperity,' Albanians would rank a variety of countries, such as America, France, Germany, Australia and Canada, more highly than Italy. Nevertheless, Italian television was permanently present: "within everyday family life, Italy was the imagined space onto which Albanians first projected their hopes and desires; Italy enjoyed the status of the country most likely to

provide an ‘answer’ to local needs” (Mai, 2001, p. 101-102). The desire of the current young Albanian generation is drawn towards the reality offered on television —they want to have fun, to live free sexual lives, to study and work, to go on holiday and to travel just like the Italians. But in fact, this lifestyle is very far removed from that of their parents and, hence, very hard to realise. When young Albanians compare their lives to those of other European youth as presented on foreign television programmes, they tend to:

Feel at the margin of the so-called global culture in relation to which they seem to have developed a sort of inferiority complex. Everything that connotes quality, beauty, prestige and glamour is necessarily foreign to Albanian young people; everything that is Albanian denotes backwardness, unfashionableness and shoddiness. Albanian young people seem left with nothing more than a purely affective and emotional attachment to their country, which they often describe as ‘the country of my family’, rather than their own. (Mai, 2001, p. 103)

Despite the romanticised ‘reality’ portrayed by Italian television and favoured by Albanian youth, fascination with Italy has actually been shown to decrease once Albanian migrants made actual contact with Italy. In Mai’s study, those Albanian migrants who were interviewed were broadly disillusioned with Italy. They did not expect the luxury goods which they had seen broadcast on television to be so expensive, they did not expect that they would have to work for so little money, they did not expect that they would have to work so much, and they did not expect that it would be so hard to find a job even when they had university diplomas (Mai, 2001, p.104).

These disillusioned migrants play an important role in the transmission of information about the reality in Italy which contradicts the broadcasted Italian reality. As the author puts it:

The new generation of Albanian youth is benefiting from the experience of the many friends and relatives who have returned from Italy and from the information they convey about the actual possibilities available in Italy and about the social discrimination and stigmatisation migrants are likely to encounter there. (Mai, 2001, p. 104)

As we have seen in the arguments of Myrdal’s cumulative causation theory, the allure of the modern lifestyle is one of the important push factors for migrants. It is not only economic factors such as wage-earning jobs, profit maximisation, and risk minimisation that push migrants to make the decision to migrate, but also ‘exciting’ urban life that attracts young migrants in general and young men in particular to urban areas at home and abroad. Improved modes of transportation, modern telecommunications, television, e-mail and internet not only make trans-national, transcontinental, trans-cultural communication easier, they also contribute to increasing fascination about the modern lifestyle that can be found in the industrialised world (Brettell, 2000, pp. 102-104).

Pushed by poverty and conflicts, fascinated by modernity and cultural globalisation in comparison to tradition and the self-designated ‘backwardness’ of their own situation, many young Africans have been trying to overcome the actual and virtual fences of Europe. For many African migrants, the main routes of migration to Europe have been through Ceuta and Melilla, via Libya and Morocco. Many young Africans from across the Sub-Saharan region pass through countries such as Tunisia and Libya on their way to Europe, but many also make these countries their final destination. In Libya as well as Tunisia, these migrants are seen as a threat to public security (Human Rights Watch, 2006, p. 17).

EU policymakers often quarrel internally while trying to reach a decision on how to deal with the surge of African illegal migrants. At a meeting in Tampere, Finland during the summer of 2006, Austria and Germany accused Spain of granting amnesty to about 500,000 undocumented foreigners. Nicolas

Sarkozy, then France's Interior Minister, said that Spain's granting of amnesty to so many illegal migrants had sent out the wrong signal. Still, there is a shared set of migration policy measures supported by all EU countries, including increased investment in Africa, readmission agreements with countries such as Senegal, border surveillance, and common standards in dealing with illegal migration.

Although the reliability of its figures is questionable, the Libyan government estimated that, as of 2005, 600,000 'legal' foreign workers as well as 1 to 1.2 million 'illegal' migrants resided in its country, and that between 70,000 and 100,000 new foreigners, both legal and illegal, enter the country every year. Al-Qadhafi's policy of increasing pan-Africanism and facilitating the free movement of individuals, as well as his welcoming attitude towards immigrants of African origin, have encouraged many Africans to head for Europe via Libya (Human Rights Watch, 2006, pp. 13-14).

According to FRONTEX sources, the number of illegal migrants arriving by sea from Africa has increased considerably of late. Between January and August 2006, 14,567 Africans arrived in Italy through Sicily (including the island of Lampedusa) whereas the total for all months in 2005 was 22,939. Between January and July 2006, 17,058 Africans arrived in Spain through the Canary Islands whereas in all of 2005, 11,781 entered. Between January and September 2006, 1,502 Africans arrived in Malta whereas in all of 2005 a total of 1,822 entered (<http://www.unhcr.org/home/>). Six hundred seventy four migrants reached the shores of the Canary Islands in the space of 24 hours during the first week of September 2006, on top of the almost 6,000 who had arrived the month before. The EU has tried to address this problem by increasing economic aid and investment in Africa; it has also released special grants totalling €3.28 million to Italy, Spain and Malta in order to increase sea surveillance patrols, improve so-called reception centres, and ultimately stem the influx of African illegal immigrants who come from all across the continent but most notably from the Ivory Coast, Mali, the Republic of Congo, Gambia, Guinea Conakry, the Democratic Republic of Congo, Ghana, Burkina Faso, Benin, Liberia, Sudan, Niger, Nigeria, Zimbabwe, Sierra Leone, Eritrea, and Ethiopia (Amnesty International, 2005).

The EU's return policy and readmission agreements can be criticised from the point of view of human rights since migrants are often forcefully repatriated. For example, of the 47,991 people that Libya repatriated in 2005, the Libyan government claims that 35,627 (74%) returned willingly; however, having spent so much money, energy and time in the hopes of getting into Europe, it is unreasonable to believe that such a large number of migrants would return to their home countries voluntarily. In this case, as well as in others, there is reason to suspect that human rights abuses may have taken place in the process of forcing migrants to repatriate (Human Rights Watch, 2006, p. 52).

The risky attempts made by many young Africans trying to get into 'Fortress Europe' cannot be attributed solely to economic factors (profit maximisation and risk minimisation) nor to hard or soft pull and push factors (which were explained in the section on migration theories above). As the Albanian case suggests, the media impacts the decisions of young Africans, and it does so in two important ways: through advertisements on television for foreign goods, and through advertisements on television for domestic goods to be consumed by rich Africans.

A Balancing Act between Humanitarian Values and Fortressing Europe

It is important to seriously consider violent religious fundamentalism and migration-related pressure on European social and political security as two sources of European apprehension. However, there are real as well as perceived threats regarding the migration-security nexus. The bombings in Madrid and London highlighted the real threats, but these real threats create further perceived threats especially if migration becomes more and more securitised (Tirman, 2004). These perceived threats can result

in fortress-building as well as in ethically-questionable policies which slowly corrode human rights, equality, justice, and the rule of law. Various EU Member States are curbing immigration to the point that genuinely-needy refugees are routinely being excluded. The EU's tight border control policy and its armed surveillance of the Mediterranean and Atlantic is leading to the indiscriminate designation of refugees as illegal immigrants, including those refugees fleeing persecution, displacement, and rape in the Congo, Sudan, and Somalia. The Africans who flee these ordeals are not terrorists but instead victims of terror in their countries of origin. During the last week of May 2007, Malta and Libya refused for three days to rescue 27 Africans shipwrecked in the Mediterranean. At a different time, Spain had to rescue 26 shipwrecked Africans after Malta had refused. In many cases, the EU either does not have the will or does not know how to address such problems, and it secludes itself behind real walls (in Ceuta and Melilla) as well as behind the more fluid security walls of FRONTEX.

According to Heinrich Neisser (2007), while the construction of 'Fortress Europe' is of course possible, it could be a dangerous step for Europe's humanistic tradition as well as for the concept of human rights, which is a pillar of European society and the European Union. Neisser (2007) acknowledges the threats of illegal and legal African migration to Europe, but at the same time he pleads for policies that seriously consider humanitarian values on the national as well as supranational levels. Neisser (2007) asserts that it is essential and inevitable to accept and establish an open and multicultural European Union, and that therefore the European Union should follow ethical principles in its migration policy.

Conclusion

The EU as well as Africa needs clear and coherent policy measures to address the issue of African illegal migration to Europe. First, the EU needs a just burden-sharing policy for refugees; second, it needs sound common asylum and migration policy; and third, it needs a policy based on humanitarian values which is consonant with the Geneva Convention of 1951 and the Refugee Protocol of 1967 in order to make sure that persecuted refugees are not the indirect victims of terrorist attacks. Important and long-term strategic objectives for African states include the development of lasting solutions for armed conflicts and economic justice and development. In order to guarantee the success of these African objectives, the EU has to pursue a genuine and coordinated policy. As the history of modern Euro-African relations shows, EU Member States have long supported the undemocratic and corrupt leaders of African states such as Zaire/Congo, Togo, Gabon, Cameroon, and Kenya. It is for its Member States' own benefit that the EU as a collective (and also its Member States bilaterally) support democracy and justice in Africa: this is a fundamental prerequisite to stopping the effects of conflicts and structural injustice from being exported to Europe in the form of illegal African migration.

The poor majority of Africans are fascinated by the tantalising goods of Europe on television, with the result that there is a psychological mixture of resignation, disappointment and determination to be part of the 'beautiful' world that is digitally represented. Nowadays, televisions can be found in all corners of Africa where there is a supply of electricity, and even where there is no electricity, car batteries can be purchased to provide a power supply for televisions. During highly-touted international football matches such as the World Championships or European Championships, many Africans are presented with images not only of stadiums, but also of the glittering cities of the West. In fact, these images fascinate not only unemployed and uneducated young Africans, but also the educated, employed, and entrepreneurial segment of African society.

The phenomenon of migration should not only be seen in economic terms. The decision of many young Africans to migrate to the West has to do, to a considerable extent, with cultural globalisation, or so-called 'modernisation.' Many young Africans feel they are caught between two incomparable cultures: the culture of their parents, which they grew up with, and the liberal, consumerist, individualistic

culture of the West, which is dominating the world today. It is the allure of this enticing Western culture that spurs many Africans to come to Europe, over and above any economic calculus.

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**Stuck between the Desert and the Sea:
The Immobility of Sub-Saharan African 'Transit Migrants' in Morocco**

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Introduction

As a conclusion to GLOMIG's sixth framework project, this paper does not focus on the Eurasian region and Eastern Mediterranean migration but instead provides some comparative and hopefully useful insights and perspectives from another 'hot' migration region: West Africa. More specifically, this paper deals with transit migration from West Africa to Europe.

Traditionally, migration-related research has been conducted on the two 'ends' of migration. On one end (the pre-migration phase), the decision-making process involved in migrating has been investigated intensively, and on the other end (the post-migration phase), the impact of migration on the host and sending societies has also been a regular topic of social science research. Paradoxically, migration as a process of moving has not much been studied in great depth (International Migration Institute, 2006). However, with the emergence of transit migration this has changed slightly, and the trajectories of migration as well as migration means have gained more attention in the last few years.

The basic argument of this paper is that migration projects are influenced, changed and re-defined in 'the transit phase.' It underlines the notion that migration is, at least for a considerable group of people, not a simple movement from A to B. Rather migration must be understood as a process of continuous movements and temporal or semi-temporal settlements. Some migrants end up in perceived transit areas; others end up leaving desired destinations to migrate to other places. Consequently, the conceptual dividing line between transit migration and multiple or repeated migration is blurred (Düvell, 2006).

This paper analyses the immobility of sub-Saharan African migrants heading for Europe. Many migrants cross the Sahara desert in order to reach North-Africa, from where they try to enter Europe. Because of its geographical proximity to Europe and the presence of the Spanish exclaves Ceuta and Melilla, Morocco has been an attractive transit zone for African migrants. However, the borders of Europe in North Africa are closing rapidly; the height of the fences around the Spanish exclaves has recently been doubled and equipped with ultramodern detection means. In addition, the Atlantic and Mediterranean waters are constantly monitored by European border guards. As a consequence, transiting to Europe from Morocco has become extremely difficult, and migrants, in turn, often 'get stuck' in this perceived transit area, which has far-reaching effects on migrants' lives and Moroccan society.

This paper aims to explore the dynamics of this group of migrants' immobility. Immobility, here, means the incapability of individuals to continue their migration to Europe. Investigating the reasons that these migrants are stranded, the locations and survival strategies of these migrants, and their changing aspirations, this paper is divided into the following four parts:

- 1) Part 1 outlines the basic conceptual framework that will be used, explaining the concept of transit migration and the importance of studying immobility in migration research.
- 2) Part 2 discusses some figures and basic misunderstandings of sub-Saharan African transit migration to Europe.
- 3) Part 3 presents the research design and findings of my latest research. The findings are based on two periods of fieldwork. In 2007, fieldwork was conducted in Spain, Morocco and Senegal in order to understand the broader framework of West African transit migration. In January 2008, some 33 in-depth interviews were held with sub-Saharan African migrants in Morocco.
- 4) Part 4 outlines the most important preliminary conclusions of this research project.

Transit Migration and the Importance of Studying Immobility in Migration Research**1. Transit Migration**

Transit migration is often understood in a simple way: as migration from country A via country B in order to reach country C. However, a closer look at this concept shows that transit migration is far more complex than is assumed and that there are several epistemological, methodological, and empirical difficulties related to the concept. Düvell, for instance, outlines the unclear dividing line between transit migration and repeated or multiple migration. According to him, many authors interpret migrants who move on to another country as transit migrants, even after a long stay in their (former) host country. Sometimes researchers categorise people that have lived 12 years in a refugee camp as transit migrants (Roman, 2006). However, this is inconsistent with several evidence-based migration theories (cumulative causation, culture of migration), which prove that “once someone migrates, the more he or she is likely to continue migrating” (Düvell, 2006, p. 16). Another interesting difficulty outlined by Düvell is the difference between actual transit migration and mental transit migration. The results of often-used interview methods in (transit) migration-related research cannot automatically be taken for granted because there is always a distinction between persons who are indeed transiting the country and people who only intend or wish to transit the country.

De Haas (2006) argues against a simple understanding of transit migration for another reason; he states that the term ‘transit migrant’ is often misleading not only “because many migrants and refugees consider North Africa (particularly Libya) as their primary destination, but also because a considerable proportion of migrants who fail to enter Europe prefer to stay in North Africa as a second best option” (p. 4).

As a result, there is growing agreement in the literature that transit migration must be considered as a phase in the migration process for different types of migrants, rather than as a migration category as such. Regular and irregular migrants, as well as refugees and asylum seekers, can all have a transit phase in their migration process. In order to fully understand this transit phase, it is important to understand the so-called migration-asylum nexus (Papadopoulou, 2005). This nexus emphasises that different types of migration (for example, migration for political reasons and migration for economic reasons) overlap in various ways: in other words, the causes of migration are interrelated. It should also be noted that economic migrants and political refugees use the same migration means, and more importantly, that individuals can jump these static migration-asylum categories over time. Asylum seekers may become economic migrants and economic migrants may turn into political refugees. This will later be underlined by empirical findings.

2. The Importance of Immobility in Migration Research

Migration research has traditionally focused on the mobility of people living in an international context; however, it is now widely known that only 3% of the world’s people are living outside their country of birth. From this perspective, international mobility is still the exception and immobility the rule, and it explains why some migration scholars have recently raised the question: Why are there not more international migrants? (Hammar et al. 1997; Faist, 2000; van Naerssen & van der Velde, 2007). In other words, in order to explain migration, it is necessary to take into account why people stay in their home country.

There are several reasons explaining why most people are relatively immobile. The most important is the local attachment of people: the majority of people voluntarily prefer to stay in their ‘home area.’ In addition, voluntary immobility can also be analysed in terms of a ‘threshold of indifference’ and related economic advantages (van Naerssen and van der Velde, 2007) although it goes beyond the scope of this paper to outline these theories in detail.

In addition to those who voluntarily stay in their home country, there is also the issue of those who are involuntarily immobile. Particularly in underdeveloped areas, the aspiration to migrate is high, but the capability to do so is low, partly because of European border closings and the extreme poverty in these regions. In any case, the result is a high number of would-be migrants. Carling (2002) has conducted an excellent study of this issue by outlining involuntary immobility on the Cape Verde Islands. Because of the high number of border closings and other restrictive migration initiatives, some researchers appropriately analyse the globalisation era in terms of social closure instead of social openness (Shamir, 2005; Turner, 2007). In addition, more and more researchers, in line with Zygmunt Bauman (2008), argue that mobility is a crucial polarising factor.

Besides those who are forced to stay involuntarily in their home country (the would-be migrants), there are also people who get 'immobilised' on their way to Europe, as was mentioned above. Here this is called 'stranded migration,' referring to the (temporal) impossibility of leaving the transit country in order to reach the intended destination. Van Naerssen and Van der Velde (2007) have analysed this immobilisation with the help of so-called 'trajectory thresholds' in their attempt to model individual spatial migratory behaviour. This paper aims to deepen our understanding of the consequences of these trajectory thresholds. At the same time, it attempts to understand the migration-related dynamics that emerge because of the involuntary immobility of individual migrants in so-called transit zones. Consequently, the starting point for this paper is Ahmet İçduygu's (2000) study on transit migration in Turkey, in which he states that it is important to include the transit phases of migration in migration research so that the migration process can be understood in its totality. Before starting the analysis, some clarifications should be given regarding the magnitude of transit migration from Sub-Saharan Africa to North-Africa and Europe.

Counting the Uncountable

Several researchers and policy institutions have made their best efforts to estimate properly the number of migrants on the edge of Europe who are waiting to enter their 'El Dorado.' However, their estimations differ slightly because migration figures are lacking. The most important reasons for why there is a lack of information about migration include the following:

- 1) Population censuses are limited in West and North Africa.
- 2) Migration often occurs without passing any form of administrative authority. For instance, the ECOWAS (Economic Community of West African States) allows people to move freely across member states (with very few administrative restrictions), and moreover, people from several West African states (i.e. Mali, Senegal, the Ivory Coast, and the Republic of Congo) do not need a visa to enter and reside in Morocco.
- 3) Transit migration consists of a large number of people ranging from 'legal' migrants (including recognised refugees) to irregular migrants (sans papiers). Since the majority of migrants seem to be irregular/illegal, counting the legal migrants is not sufficient. In addition, when one counts the regular migrants, he is also potentially counting those who are currently 'in transit' but who are actually planning on staying in their 'transit' country. Counting the 'illegal' migrants, besides being close to impossible, is not perfectly useful for similar reasons: a considerable number of these irregular people will never reach Europe because they will get stuck. Furthermore, calculations about transit migrants are based on questionable methodologies, often deriving from apprehension data which pose problems for researchers. For instance, many migrants are double-counted (a considerable group of migrants have been arrested 6 to 8 times by the Spanish or Moroccan authorities), and conversely, many irregular migrants entering Europe are not counted at all.
- 4) As stated earlier, when one speaks about transit migration in transit areas, he is focusing on migration intentions or migration aspirations and not on the 'migration that is actually occurring.'

Thus, when the number of transit migrants at the shores of Europe is counted, it is an estimation of the number of migrants expected to enter Europe (Düvell, 2006).

5) A related issue is how to distinguish south-south (intra-African) migration from transit migration to the north (Europe). As De Haas (2006, 2007) argues, there are probably more sub-Saharan Africans living permanently in the Maghreb than in Europe. Therefore, it is a general misunderstanding that the majority of sub-Saharan African migrants living in Morocco are heading for Europe. Historically, it is also inappropriate to categorise trans-Saharan migration to North Africa automatically as transit migration to Europe since interregional mobility is common for Africans of all ages.

Probably the best method for estimating the number of transit migrants in Morocco is surveys, and in particular, the extensive surveys focusing on migration aspirations which are routinely conducted with regular and irregular migrants. Estimations reached by this method place the number of African transit migrants in Morocco between 8,000 and 15,000 (Khachani, 2003; CIMADE, 2004; Collyer, 2006b; AMERM and CISP, 2007; Lahlou, 2007). At the same time, it is also important to note that a higher number of migrants is estimated in other Maghreb countries, particularly Libya. Altogether, it seems reasonable to estimate that sub-Saharan transit migration to Europe via the Maghreb countries involves a number of people in the tens of thousands instead of in the hundreds of thousands. The analysis of Hein de Haas (2007), which combines several estimation methods and adds a critical perspective, shows that an estimated 65,000-120,000 sub-Saharan Africans reach the Maghreb every year, of which around one-third reaches, or at least attempts to reach, Europe.

The Case: The Immobility of Migrants in Morocco

The kingdom of Morocco is a country in North Africa with a population of around 33 million people. Although African countries have interacted for ages, the current migration trend from sub-Saharan Africa to North Africa is a particularly hot topic of debate today. In 2003, the Moroccan government implemented a new law (Loi, 02/03) addressing migration and, in particular, the entry and stay of irregular migrants in the country. It is widely acknowledged that this law was designed and implemented in order to meet European demands for the creation of a migration 'buffer zone' (Khachani, 2007).

Figure 1: Morocco, Rabat, Oujda and African Migration Routes



Source: BBC News

My fieldwork regarding African immigration in Morocco was conducted in two important locations: Rabat and Oujda. Rabat, the capital of Morocco, accommodates a relatively high number of African migrants and is home to the UNHCR office. Oujda is a main (irregular) entry point into Morocco, and in fact, the CIMADE survey indicated that 90% of the undocumented migrants in Morocco in 2004 had entered the country via Oujda. Predictably, Oujda is also where the majority of migrant deportations (executed by Moroccan authorities) are carried out.

The aim of my qualitative research is to gain greater insights into three aspects of the immobility phase:

- The characteristics of the immobility phase, including its length and reasons for migrants' immobility
- The location and survival strategies of sub-Saharan African migrants in Morocco
- The role of the transit phase in the migration process, particularly in changing migration aspirations

1. Research Group: The Diversity of Transit Migration

As noted before, transit migration is not a distinctive category (such as refugee migration or irregular migration) but instead refers to the stepwise character of the migration process of a whole range of people. My fieldwork in January consisted of 33 interviews with people whose country of origin, sex, age, and status varied. In addition, my notes from several field-study trips are used to complement the interviews. Some of the characteristics of the respondents are detailed below.

Table 1: Country of Origin

Country of Origin	Number
Nigeria	13
Democratic Republic Congo	10
Cameroon	4
Senegal	2
Liberia	1
Guinea Conakry	1
Guinea Bissau	1
Mali	1
Total	33

Table 2: Sex

Male	Female
27	6

Table 3: Age

Age (Average)	29,3
Age (Range)	18-42

Table 4: Status of Migrants

Legal Migrant	Recognised Refugee	Asylum Seeker	Sans Papier
2	4	2	25 (of which 4 were rejected asylum seekers)

In order to contextualise this group within a wider research population, a recent survey conducted by AMERM (l'Association Marocaine d'Etudes et de Recherche sur les Migrations) can be considered. The AMERM survey shows that 797 of the 1000 respondents were male and that the average age was 27.7, with a range of 15 to 47 years (AMERM and CISP, 2007). This indicates that my research group fairly reflects the wider migrant community. Nonetheless, generalisations are not possible since my research group is simply too small.

2. The Length and Reason for the Migrants' Immobility

Nineteen interviewees — the majority — had been in Morocco for a period of between 1 and 3 years. Only 5 had been in Morocco for a year or less, and 9 people had been residing in Morocco for 3 years or more, of which two had been in Morocco for a relatively long period of time (7 and 9 years). The respondents emphasised that their immobility and inability to reach Europe was the result of their lack of financial resources. There are several reasons for this lack of money, the most important of which are:

- In Morocco, where the unemployment rate is approximately 15%, there are few job opportunities for migrants, and most jobs are underpaid.
- Rent prices for migrant houses are relatively high, especially in Rabat.
- The journey to Morocco is relatively expensive, and migrants usually arrive 'broke' in Morocco since smugglers have to be paid and border officials have to be bribed en route.
- Contrary to what is stated in the majority of transnational migration literature, a considerable number of people migrate without comprehensive transnational support or any form of network, which makes them ('the non-network migrants') completely self-dependent.

A second reason why migrants get stuck in Morocco is the physical danger of getting to Europe: illegally migrating often involves a potentially life-threatening sea-crossing in fragile boats, as widely reported by different media. Furthermore, migrants also get stuck in Morocco because the fences of the Spanish exclaves are extremely difficult to cross and because Spanish and Moroccan border guards often use violence when migrants attempt to climb the fences. According to *Medecins sans Frontieres*, around 2200 migrants needed medical consultations between 2003 and 2005 after being subjected to excessive violence, mainly at the hands of government authorities (*Medecins sans Frontieres*, 2005). Several respondents referred to the physical challenges of getting into Europe and stated that this was an important reason for not going.

A third explanatory factor of migrants' involuntary immobility is the difficulty of arranging of an 'in-between-person.' Although it is often stated that it is easy to contact the 'right persons' when a migrant has enough money, the arrangement of a trustworthy smuggler is important and can take some time.

A fourth and perhaps more controversial factor of migrants' immobility is social attachment. Sub-Saharan African migrants get attached to their lives in Morocco for several reasons: some start a successful business; others give birth to a baby or fall in love with someone. All these personal factors change migration perspectives and make (some) migrants decide to stay where they are (in this case, Morocco). Hein de Haas (2005) has called this 'staying as a second best option.' The fact that people's social lives are embedded in Morocco does not mean that they have integrated successfully into Moroccan society; rather, their attachment is often only to the Sub-Saharan African migrant community.

3. Location and Survival Strategies

The second aim of this research project is to identify the location and survival strategies of migrants in transit. Location strategies are analysed on three different levels, namely the:

- Macro level (country)
- Meso-level (city)
- Micro level (working places and living places within the city)

The Macro Level: Morocco

On the macro level, a distinction must be made between intentional and un-intentional movements to Morocco. One group of migrants intentionally chose Morocco because 1) they perceived Morocco as a 'safe haven' 2) Morocco functions as an important transit area for reaching Europe and 3) Morocco is known as a country with slight job opportunities.

The other group of migrants did not self-consciously choose Morocco but just 'ended up there' through unintentional movement. Of these migrants, two basic groups can be distinguished. Firstly, some migrants have no clear destination in their head when they set out to emigrate; they migrate more 'spontaneously' (for instance, in the case of an emergency). During this group's migration process, new goals are formed and migration projects concretised, which explains why for some Morocco was not the intended destination beforehand. Secondly, some people are misled by their smugglers/ traffickers. Migrants are sometimes told that they are being brought to Europe, only to be subsequently and unexpectedly left behind in unknown places. As a result, some migrants involuntarily end up in Rabat.

The Meso-Level: Rabat and Oujda

The migrant's location strategy on the meso-level concerns the city he or she is living in. In Morocco, there are several reasons why migrants choose to go to the capital city of Rabat. The most important factors are:

- **Migration Strategy:** Many migrants go to Rabat for migration strategy-related reasons (Alioua, 2003; Lahlou, 2007). Rabat functions as a so-called 'dealer city' where smugglers can be contacted and travel to Europe can be arranged. In addition, a strong migration strategy-related pull factor is the UNHCR office in Rabat; many migrants go to Rabat in the hopes of getting refugee status. In 2006, this office received 1650 asylum applications, and 350 of them were provided refugee status (Johannes van der Klaauw, personal communication, 2007). Once people have refugee status they feel more at rest, and at that point it is possible to make new migration plans.
- **Security:** Security is an important reason for going to Rabat, which is perceived as a safe place to live. National and international media are present in the city, as well as some very active national and international NGOs. Moreover, the population is, according to many respondents, more 'open-minded' than that of other Moroccan cities (see Aliou, 2003). Finally, the risk of deportations is limited: while in Oujda and the region around Ceuta and Mellila migrants constantly risk permanent deportation, in Rabat this occurs infrequently since the authorities in general show more tolerance towards Sub-Saharan African migrants.
- **Socio-economic Factors:** There are large migrant communities in Rabat, and these communities provide a form of (social) security for migrants. Furthermore, many migrants looking for work believe that they can be more successful in a larger city than in a town.
- **Integration/Sedentary Factors:** Migrants also choose to go to Rabat since it is possible to find apartments in one of the bidonvilles. Several respondents stated that "Rabat is a city where you can live a normal life, people go there to stay." While this factor may seem inconsistent with the migration strategy factor above, interviews indicate that social mobility and integration are in fact possible for limited numbers of migrants in Morocco. The situation usually unfolds in the following manner. At first, undocumented migrants live in informal camps. After they have saved some money, they go to a city (Rabat) and begin to live in a very small room shared with many others. After a certain period of time, they are able to rent a more spacious room and gain a more comfortable existence. From this perspective, one can say that Rabat is a place for the more successful migrant with some financial means. At the same time, one interviewed migrant said that those who settle down in Rabat are cowards: "They don't have the courage to live their dream; they forget where they are going."

The city of Oujda lies near the Algerian border and is an important entry point for undocumented migrants. The reasons why migrants go to Oujda differ, but the following are the most important:

- **Migration Strategy:** Oujda functions as a transit zone for people planning to go to Melilla or trying to cross the Mediterranean from Nador. In this way, it is a dealer city like Rabat. One interviewed migrant said: "People who are trying to fulfil their migration project are waiting in Oujda, in Rabat they are not ready to go."
- **Forced Stay:** Many migrants stay in Oujda involuntarily since they have been deported to Oujda or since they have walked back to Oujda after being deported to the Algerian side of the border. It is extremely difficult to leave Oujda without being noticed by the authorities; the train station is permanently observed and there is constant police surveillance. Therefore, rather than catching a train from Oujda, migrants who want to go to other places in Morocco often go to more rural areas in order to 'jump upon a train.'
- **Orientation:** A third reason for being in Oujda is that it is the easiest way for many migrants to arrive in Morocco for the first time. The research of CIMADE (2004) suggests that about 90% of SSA migrants enter Morocco via Oujda. Migrants stay in Oujda in order to gain important information, create new networks, etc., with the result that the city functions as an orientation place for Morocco.

The Micro Level

On the micro level, mobility is an important strategy for migrants. Migrants are usually not constrained by family considerations, they have few obligations towards their temporary employers, and if they want to, they can leave their apartment at any time. On the micro level, this high degree of mobility constitutes an important strategy for migrants. Three examples are given below:

- **Mobile Tranquilos:** Many informal camps are set up by migrants themselves, mainly in the forests, and are known as 'mobile tranquilos.' These camps have a strong nomadic character since migrants change places regularly in order to avoid being traced by the authorities. The number of people living in each of these mobile camps varies from 10 to 35.
- **Trial-and-Error:** When their migration aspirations are very high, migrants move around very frequently in order to find the best place of departure. For example, migrants who do not succeed in Nador may try again in Laayoune, a city in Western Sahara. In addition, migrants who have just arrived in Morocco often first try their luck by attempting to enter one of the Spanish exclaves.
- **Commuting:** Although the border between Algeria and Morocco is officially closed, there is some cross-border mobility between the cities of Oujda and Maghnia. In Maghnia, Algeria, the construction sector is growing, and many migrants try to find a job there for a short period of time. However, since the general perception among migrants is that Algeria is a very hard place to live, Oujda is more popular as a place of residence. Some interviewed migrants stated that they sleep in Morocco and work in Maghnia.

Thus, while the respondents in this research group are technically labelled as 'immobile' (since they cannot move in the ultimate directions that they would like to), many of their daily lives are not characterised by immobility or confinement. At the same time, it should also be noted that some respondents reported being highly immobile in their daily patterns, particularly women, who are constantly forced to stay in their homes (see van Brabant, 2007). Women stay at home mostly for security reasons; they feel that they and their children are safest at home. However, sometimes it makes economically more sense to stay at home since some of the economic activities take place inside their homes (e.g. hairdressing). Some women only go outside their house to visit the church in the city centre or to buy some necessary products on the markets.

Another important factor explaining migrant's immobility on the micro level is the frequent incidence of intervention by the authorities. Many migrants are deported to Oujda and forced to stay there; others are locked up in so-called reception centres. At the local level, these forms of immobility lead to frustrations. Female (and even some male) respondents declared feeling very restricted in their movements. To quote one respondent: "Here in Morocco, you are not free; it is like a prison!"

To conclude, mobility is an important strategic factor for many migrants in Morocco —although this does not mean that all migrants feel free to go where they would like to go. In addition, among the migrants 'stranded' at the local level, mobility seems to be an important polarising factor.

4. Survival Strategies

Besides location strategies, migrants develop other methods to adapt to the difficult living conditions in Morocco. Here, two types of strategies are outlined: economic strategies and social-security strategies.

Economic Strategies

In taking account of the economic strategies of so-called transit migrants, it is important to note that many migrants find work on a temporary basis en route to their planned ultimate destination. It is believed that cities like Dirkou and Tamanrasset are going through a time of economic prosperity partly because the migrants who are passing through function as cheap labour (Bredeloup and Pliez, 2005).

In Morocco, African migrants have several economic strategies. Firstly, migrants can find jobs catering to the migrant communities. In the Taqadoum and J5 quarters of Rabat, one can see various businesses set up specifically for African people, such as 'Afro barber shops.' Another service that has emerged is the selling of 'smuggled goods.' Migrants who commute between Maghnia and Oujda buy MP3 players, mobile phones and other technology in Algeria, then they try to sell it (mostly to fellow migrants) in Oujda for little profit.

Secondly, at various markets in Morocco, migrants offer additional services to the informal economy. For instance, sub-Saharan African migrants do activities such as plucking chickens, carrying goods to market and cleaning fish. Some Africans even sell goods from their own stands and have their own shoe repair shops. Moreover, there are examples of migrants working in the migrant education sector, as ICT staff or as mechanics. It is also reported that some female migrants work in the domestic service sector.

Finally, in many cases prostitution and begging are the last options for migrants to earn money. Other research has focused on female prostitution in Morocco, which is especially associated with Nigerian women, and it has found that prostitution is often embedded in larger criminal networks (Alioua, 2003; van Brabant, 2007). In addition to the sex trade, begging is an important means of income generation for many sub-Saharan Africans in Morocco. It is reported that many people can earn more money by begging than they can earn in the construction sector in Morocco.

Social-Security Strategies

Besides the above-specified strategies to earn money, migrants have also developed social security systems to help protect them against the hostile environment in which they live. Firstly, migrants create collectives en route to Morocco or in Morocco in order to ensure their security for a particular

step of their journey. This is best described by the example of the university campus in Oujda (see Box 1).

Box 1: The Campus in Oujda:

On the university campus in Oujda approximately 300 migrants are living on the university campus in Oujda. The campus is a relatively safe place to live in since it is a traditional 'no-go area' for the police. The campus grounds are more of a construction site than it consists of; they are an area of houses and apartments. The grounds are divided into an Anglophone and Francophone part. Within their linguistic division, migrants live in small communities (8-15 members) based on nationality and ethnicity. Each community has its own chairman, often a person with experience in migration or someone who has held a high function in the home country. The community chairmen are directed by a national chairman, and the different national chairmen are controlled by the grand chairman of the campus. With the help of this hierarchical structure, information is shared, conflicts are solved and individuals are protected. However, people do not always benefit from this structure. It sometimes creates power conflicts and often facilitates forms of patronage, abuse and corruption (Schapendonk en Van Moppes, 2007).

Based on several interviews, it seems that there is widely-felt solidarity among the collectives; migrants keep each other updated on security issues, transport opportunities and the availability of jobs. However, the solidarity among the migration collectives is not unconditional, and particularly when it comes to information about the possibility of making the 'final jump' to Europe, great secrecy and even competition exists. According to local humanitarian organisations in Morocco, migrants are very reluctant to share information about this issue, fearing the competition of other migrants. The greater the number of other people who know about an opportunity to go to Europe, the less chance an individual has to make use of that opportunity since fellow migrants may 'take his place.' Therefore, many migrants arrange their 'final jump' without informing their fellow migrants (Schapendonk en Van Moppes, 2007).

Another interesting strategic development is that formal and semi-formal migrant organisations are emerging in Morocco. Currently, various Congolese organisations are fighting for refugee rights in the country, and even more surprisingly, migrants without residence papers are trying to 'sensitise' Moroccan society to their presence. There is a Cameroonian organisation of 'sans papiers,' an African migrants' platform, and a migrant human rights organisation, all of which collaborate to some level with Moroccan NGOs.

A third social-security strategy involves searching for transnational support. Many migrants look for financial and social support within their own (transnational) social network; however, these networks and resources are often not sufficient to complete the migration process. Therefore, migrants also look for support outside these networks. Often, internet forums and chat rooms are used in order to attract the attention of the outside world and create international solidarity concerning their 'inhuman living situation.'

The Role of the Transit Phase in Migration Process

In migration literature, there is growing consensus that the term 'transit' is not suitable as a collective categorisation of the migrants in North Africa. A large number of the migrants are no longer 'in transit' because they have chosen to settle in the Maghreb countries. Others are not technically 'in transit' because they did not have a clear plan when they left their country. And finally, many migrants residing in Morocco with the clear aspiration to go to Europe have not always had this aspiration from the beginning of their migration process. Indeed, a 2004 survey among

African migrants in Morocco shows that only 27% of the respondents had the intention to go to Europe before they arrived in Morocco, but once they had come to Morocco this share was around 90% (CIMADE, 2004). Other, more in-depth research draws the same conclusion (Collyer, 2006a; van Brabant, 2007).

This part of the paper focuses on the changing migration goals of the interviewed migrants. The findings show that migration aspirations are flexible rather than fixed: in other words, migration plans change over time. Table 5 shows that of the 33 respondents, only 16 had left their home country in order to reach Europe. In the countries they crossed en route to Morocco, their plans did not change; however, once in Morocco, four of them changed their migration goal: three decided to stay in Morocco and one person stated he had plans to go home. Five respondents stated that they were aiming to go to Morocco when they left their home country, and this migration goal did not change in the third countries they passed through; however, once in Morocco, four of these five migrants decided to continue on to Europe. In addition, six respondents originally sought to reach ‘a third country’ in the South (for instance, Congolese migrants who intended to go to Congo Brazaville, Cameroonian migrants who wanted to reach Nigeria, etc.). During their migration process, the plans of these migrants changed, and now all six of them have aspirations to go to Europe (see Table 5). Finally, four migrants left their home country without a clear destination. Two of them, while they were in so-called third countries, decided to go to Morocco as their destination; today, however, these two respondents want to go to Europe.

Migration Goals at Different Stages of the Migration Process			
Country of Origin	Third Countries		Morocco
Europe (16)	Europe (16)		Europe (12)
			Morocco (3)
			Return (1)
Morocco (5)	Morocco (3)*		Morocco (1)
			Europe (4)
Third country (6)	Third Country (2)	Morocco (2)	Europe (2)
	Morocco (2)		Europe (2)
	Europe (2)		Europe (2)
Unkown Destination (4)	Morocco (2)		Europe (2)
	Unknown Destination (2)		Morocco (1)
			Europe (1)
* two respondents went by plane (no third countries involved)			
	Result		
	Constant migration goal (13)		
	Migration goal changed once (12)		
	Migration goals changed more (6)		

As a result, only thirteen respondents reported that their plans had never changed, that they had had constant migration goals. Some 12 respondents changed their migration goal once; the other six

had several moments at which they re-defined their migration plans.¹ Thus, what is often interpreted as transit migration did not necessarily start as transit migration at all. On the other hand, what started as South-South migration often turned into migration aspirations for Europe, with more or less unexpected forms of transit migration occurring.

Another striking element of this research is the abstraction of migration goals. Almost all interviewed migrants had what is here called abstract migration goals, meaning that they were not heading to a specific city or even to a specific country; instead, they were heading for 'Europe,' or they were looking for 'a good place to live in.'

To concretise: for a considerable group of migrants, the transit phase still means a waiting period in which the next stop of their journey is arranged. However, in those cases where 'transiting' cannot be achieved in a certain period of time (say, for instance, two years),² it is here suggested that we analyse the situation as 'stranded migration' since the fulfilment of the original migration goals is temporally impossible. In other cases, where 'transiting' a given country was not a migration goal beforehand, we should not speak about a 'transit phase,' but rather about 'multiple migration' or, if we are to use the safest designation, 'step-by step migration.'

Conclusion

This paper has analysed the immobility of Sub-Saharan African migrants in Morocco, and it has shown that the migration of Sub-Saharan Africans is too simply categorised as 'transit migration' since the findings indicate that their migration often has a stepwise character and that their migration aspirations change over time. Transit may turn into voluntary or semi-voluntary settlement, transit may turn into return migration and transit may indeed turn into further migration. What is important here is that migration perspectives change over time. Altogether, the transit phase is not always a waiting period; it is rather an indefinite period of insecurity.

As stated above, migrants react to this environment of insecurity by creating migration collectives, security mechanisms and international alliances. Closely related to these security and humanitarian concerns are concerns about immobility. On the micro level, most migrants live relatively footloose lives as 'modern nomads.' However, others, mainly women, are involuntarily stuck in one place, and this immobility at the local level leads to different kinds of frustrations.

Altogether, migration, and especially south-north migration, cannot be analysed as a simple movement from A to B. Restrictive migration initiatives attempt to discourage migrants from entering Europe, and this can go as far as putting migrants in so-called reception centres, the purest form of immobilisation. On the other hand, migrants have the abstract but enduring dream of finding a good place to live. Although this place might not be in Europe, the European promises of welfare and job opportunities are increasingly attracting migrants from underdeveloped areas. This trend will persist in the near future and will have far-reaching consequences for the individuals as well as for the societies of North Africa. Within the framework of migration regimes, individual migrants, and the conflicting interests of both parties, it is important to include notions of voluntary, semi-voluntary and involuntary immobility in migration research in order best to understand migration as a whole.

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² The issue of time-dependent demarcation is important for discussion; however, it is beyond the scope of this paper to discuss it extensively.

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The Status of International Migration Data from the Perspective of Turkey

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Introduction

Measuring various types of migration stocks and flows has always been a challenge for researchers. The challenge, however, becomes even more difficult when studying international migration because of either too much or too little available data. In order to understand the dynamics of international migratory movements, and subsequently write appropriate policies to deal with the social, economic, humanitarian, and political implications of these movements, it is essential to have reliable and regularly available data.

This paper aims to explore the potential use of available data sources in Turkey and the need for further migration data to be collected by researchers for policy makers to effectively deal with the issues of emigration from, and immigration to, Turkey.

Why Do We Need Migration Statistics?

First of all, we need knowledge-based policy making and planning to control migration and to provide assistance and support for immigrants and expatriate citizens. We also need migration data for policy evaluation and to provide the public with relevant information.

What Sort of Data is Needed?

For many institutions or researchers, 'simple' statistics on numbers of 'migrants' or 'foreigners' are satisfactory. However, more detailed statistics are needed for specific groups, such as refugees, trafficked women, highly skilled workers, and returnees, etc. The type of statistics needed may also vary by type; mostly on people, but also on remittances, etc.

Data Sources

Typical data sources of migration are population registers, censuses, and surveys. In the case of international migration, both the country of origin and the country of destination potentially have information or data for the international migrants in question. Therefore, in most instances, both the national (origin) and international (destination) sources may be necessary to understand the nature of international migration.

These sources of information are not always enough to produce the required information for all types of population movements across borders. They may contain information on voluntary migration, but not necessarily on forced migration. Similarly, they are more likely to contain information for documented or legal migration movements, but less likely to have data on undocumented or illegal migration.

Data Sources in Turkey to Study International Migration Movements

Like any other country in the world, Turkey can be regarded both as an origin (people moving abroad) and a destination (people moving to Turkey) country. Depending on the nature and definition of migration, with respect to residence and duration of stay, Turkey can also be classified as a transit migration country. In recent decades, many foreigners enter the country (mostly via illegal means), stay in the country in search of finding a better way or route to cross the border, and then move to neighbouring countries or to the member countries of European Union.

The rest of this paper concentrates on the availability and use of the potential data sources in Turkey, from the perspective of both a sending and receiving country, and then elaborates on the use of foreign (countries receiving Turkish migrants) data sources.

Information on irregular migration is always difficult to attain. One can enter another country illegally or enter legally but overstay his/her visa or residence permit. They may also have a legal residence, but work illegally. Data is not available unless the illegal activities of these individuals are discovered. Therefore, specialised data sources are needed to trace illegal migrants, such as statistics on refused entry/border apprehensions and expulsion.

Turkey as an Origin Country (Emigration)

From the perspective of documented migration, the potential emigration data sources are expected to include data on Turkish citizens living abroad, or, depending on the availability of data, naturalised former citizens of Turkey. The data is expected to reflect mostly labour migration of both temporary (project based or individual) and permanent (professionals/skilled migrants) nature. We can also recognise data on emigrants as a result of family reunification/marriage, students studying abroad for different educational needs, and asylum seekers/refugees.

Data on undocumented/irregular migration is much harder to reach and collect because it is a relatively more complex form of migration. These movements include illegal border entries or overstayed legal visas where the migrants now are staying in the countries as illegal workers and/or illegal residents.

Turkey as Destination Country (Immigration)

With regard to foreigners coming to Turkey, the documented migration data may include information on temporary or permanent residents if they have obtained or are renewing their resident/work permits (staff of foreign consulates, businessman, settlement of retired persons, marriage with Turkish citizens), on foreign national ethnic Turks, naturalised persons, and asylum seekers/refugees. If the nature of the migration is undocumented/irregular, then the migrants could be here for transit purposes (temporarily in Turkey on their way to a third country) or for illegal labour migration residing either temporarily or permanently in Turkey (i.e., babysitters, cleaning ladies, carers, informal workers/cheap labourers, rejected asylum seekers).

National Data Collection Systems

Independent from the nature or type of migration, one can use the following data sources to study international migration in Turkey:

- Population censuses
- Household surveys
- Population registers
- Registers of foreigners
- Border statistics
- Residence permits
- Work permits
- Asylum/refugee registers
- Registers of citizens living abroad

Sources of International Migration Data in Turkey

The Turkish Statistical Institute (TURKSTAT, former State Institute of Statistics-SIS) and some other relevant government offices are potential data sources for either collecting or compiling data on international migration. They may offer data for emigration or immigration. Additionally, the statistical offices in the receiving countries are potential sources of immigration data.

International organisations such as the United Nations (UN), the UN Refugee Agency (UNHCR), the International Labour Organization (ILO), the International Organization for Migration (IOM), World Bank, the Organisation for Economic Co-operation and Development (OECD) (particularly Continuous Reporting System on Migration of the OECD –SOPEMI), and The Statistical Office of the European Communities (EUROSTAT), also collect, compile, and offer many statistics about international migration to and from individual countries.

The main data sources in Turkey are TURKSTAT, the General Directorate of Security (Ministry of Interior), the General Directorate of Population and Citizenship Affairs (Ministry of Interior), the Ministry of Labour and Social Security, the Turkish Employment Office, and the Ministry of Foreign Affairs.

Censuses

With regard to Immigration statistics collected by the Turkish Statistical Institute or TURKSTAT, we can mention Population Censuses that give information on the size and characteristics of the population in Turkey migrated from abroad:

- Information on usual residence five years ago (migration flows) (234,111 persons according to 2000 census) (TURKSTAT, 2005)
- Information on foreigners who are in Turkey on census date (stocks of migrants) (place of birth, residence, and country of citizenship information). Limited information is published regarding these people (foreign born – 1,278,671 in 2000 census) (SIS, 2003)

With regard to emigration statistics, the censuses of 1985, 1990, and 2000 all included a question on the number of household members who were abroad on the day of the census. Research papers are available using data from 1990 and 2000 (Ünal and Türkyılmaz, 2003; Coşkun and Türkyılmaz, 2007). However, the information attained from this question may not necessarily reflect immigration data because the question asked about presence, rather than residence, abroad (temporary visits included as well as inability to identify migration as a household unit).

Administrative Records

There is also data collected on the borders by TURKSTAT and published in the form of Tourism Statistics. These statistics provide data on foreigners and citizens arriving and departing by province of entry or departure, mode of transport, and month (TURKSTAT, 2005).

The Ministry of Interior General Directorate of Security provides data that can be used for international migration statistics. For instance, the Bureau for Foreigners, Borders, and Asylum collects and compiles statistics on citizens and foreigners. This bureau collects information about all border entry and exits, residence permits, asylum and refugee registers, and illegal migrant. The content of data collected and compiled is done according to administrative needs and inevitably reflects the office's administrative procedures. There are, however, missing details on the potential use of the data as international migration statistics (such as age, sex) and do not give comprehensive or reliable estimates of migration flows into Turkey.

The Ministry of Interior General Directorate of Security collects information about trafficked persons in the country. In 2006, the Ministry prepared a report on trafficked persons in collaboration with the IOM and other relevant governmental departments and NGOs (IOM, 2007). Due to the contribution of these other Turkish institutions, the Report on Combating Human Trafficking in Turkey for the year 2006 is recognised as a 'National Report.' It describes the progress achieved in the field through

prevention, protection, and prosecution. The report also provides comprehensive information regarding the legal and administrative measures taken includes statistical data (by origin, age, education, reason, type of exploitation) from 2006.

Another initiative of the Ministry of Interior General Directorate of Security is the POLNET (police information network) project. Under this project, statistics are expected to be produced from the POLNET database as from the year 2009 based on passengers, residence permits, asylum seekers/refugees, and illegal migrants.

The Turkish Armed Forces and the Turkish General Staff are other government bodies that collect data on illegal border crossings. They recently began to publish this information regularly on their web site (<http://www.tsk.mil.tr/>). The data is presented by date, place, incident details, and actions taken.

Asylum seekers are usually not included in official migration statistics and data on refugees and asylum seekers are collected and compiled by the United Nations High Commissioner for Refugees (UNHCR). The statistics are reported annually for Turkey, as well as for all other countries of concern to the United Nations Population fund (UNFPA) (<http://www.unhcr.org.tr/MEP/>). By the end of 2007, 6,956 individuals were given refugee status, 5,189 individuals' information is still being processed, and 306 other people remain of concern. The statistics are presented by the country of destination and place of residence in Turkey and the country of settlement each year.

The Ministry of Labour and Social Security may offer labour force statistics for both immigration and emigration. For immigration data, the Ministry collects information on foreigners who are legally working in Turkey. The statistics are expected to be published in 2009 and are currently being computerized and standardised to the norms of the European Union. Regarding emigration, the Turkish Employment Office tracks workers sent abroad through official channels and the General Directorate of Services for the Workers Abroad collects data on citizens living abroad.

The Ministry of Labour and Social Security and the Turkish Employment Office publishes statistics on a monthly (2005-2007) and yearly basis (2004-2006). The information includes the number of individuals sent abroad between 1961 and 2006, and is separated by sex, country of destination, applicants by residence (province) and country of destination, occupation by country of destination, passport operations (new applications, extensions, renewals, replacements), marriages to foreigners, and dual nationality.

Another government body, the Ministry of Interior, General Directorate of Population and Citizenship Affairs, maintains a database which tracks the population by residence (Central Population Management System - MERNİS). Foreigners living in Turkey are also included in this database and the data related to foreigners living in Turkey is expected to be produced from their database as from the year 2008. The Directorate also maintains information on naturalisations and the population renouncing their Turkish nationality.

The Ministry of Foreign Affairs is another source of data on migration statistics. The Ministry collects data related to Turkish citizens living abroad and is expected to be disseminated together with data from the Ministry of Labour and Social Security based on information collected by Turkish Embassies. Based on visa information and statistics, the E-consulate database statistics are produced.

A recent joint effort of many ministries and government institutions is the Central Population Administration System (ADNKS), a computer-based population registration completed in 2007.

However, the use of data for international migration statistics remains unclear. It requires continuous recording of population changes and therefore has the potential to give information on stocks, in-flows, and out-flows. The reliability of the information that will be collected depends largely on compliance to (de)register. Also, few additional characteristics will be available.

For a more detailed description of the data sources and the characteristics of the data collected through administrative records, please see İçduygu and Toktaş (2005, in Turkish).

Surveys

Although Turkey has collected data through nationwide sample surveys since the early 1960s, the data collected regarding migration, particularly international migration, has always been very limited. Demographic surveys conducted by the Hacettepe University Institute of Population Studies rarely include questions that might measure migration movement and instead focus on reproductive health. TURKSTAT's regular Labour Force Surveys also aim to collect information on the Turkish labour force through small-sample surveys (which fail to capture comprehensive data on international migrants). Such attempts therefore have limited usefulness for the study of international migration and serious limitations to produce estimates of flows and stocks.

Special migration/migrant surveys are required to collect data that can be used to compile international statistics. Detailed and targeted information on migrant populations and migration processes need to be collected. However, such surveys require complicated sampling and survey designs, in addition to extensive resources.

The largest attempt to collect information on international migration in Turkey was a NIDI-Eurostat project (1996-2000) where Turkey participated as one of the migrant sending countries along with Egypt, Morocco, and Senegal, with both Italy and Spain as receiving countries. The survey titled Turkey International Migration Survey was conducted in 1996 by the Hacettepe University Institute of Population Studies, but it was not based on a nationally representative sample. The survey did not intend to produce migration statistics, but rather to collect data on push and pull factors of migration to European countries. The result, however, was the provision of previously unavailable and internationally comparable data (EUROSTAT, 2000).

Receiving Country Statistics and International Data Sources

Data on Turkish migrants abroad can also be collected from the statistical offices of the receiving countries. Also, international organisations compile important data for researchers to analyse Turkey's international migration statistics. Among these institutions, the primary sources of data come from the United Nations Population/Statistics Division, the United Nations Economic Commission for Europe (regional data), the United Nations High Commissioner for Refugees, the ILO, the IOM, the World Bank, the Organization for Economic Co-operation and Development, EUROSTAT, and the Council of Europe. Although a comprehensive understanding of the data sources regarding Turkish international migration should require the analysis of these sources, it, unfortunately, is not within the scope of this paper to do so.

Conclusion

For an analyst who would like to study International Migration Statistics related to Turkey and Turkish citizens, no regular or comprehensive registry system for data collection is currently available. Although relevant institutions collect data according to their own administrative studies or concerns,

the data collected is not necessarily compliant with the international definitions and classifications in terms of its comparability and measurability.

There are comparability problems between the same type of source (international) and between data sources (national), as well as coverage problems (irregular/illegal migration mostly not included in the data sources).

There are, however, recent joint efforts of governmental institutions to compile international migration data by means of revising the administrative records/forms and developing a new data collection system. As stated in the Official Statistics Program 2007-2011, the Turkish Statistical Institute (TURKSTAT) will compile and produce internationally comparable migration statistics in collaboration with the Ministry of Foreign Affairs, General Directorate of Security, Ministry of Labour and Social Security, and the General Directorate of Population and Citizenship Affairs.

International migration statistics on foreigners and citizens (by 2008), work permits (by 2009), residence permits, illegal migration, asylum and refugee (by 2009), and citizens living abroad (by 2011) will be collected and circulated include.

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Informal Employment, Irregular Migration and the Case of the Construction Sector in Turkey

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Introduction

Along with the restructuring of the capitalist accumulation regime, labour markets have also been restructured in the name of 'flexibility.' Indeed, the international financial organisations which play a significant role in giving effect to neo-liberal policies, such as the World Bank (WB), attach great importance to making labour markets more flexible; arguing that the success of reforms geared towards making neo-liberal policies more effective depends mainly on the further flexibilisation of labour markets. Not only does the WB specifically mandate further flexibility, it even mandates the elimination of all regulations concerning the geographical mobility of the labour force, wages, employment-related non-wage benefits and other social rights, and quite ironically, it claims that the labour side gains from such steps (WB, 1995, pp.109-111). While the present stance of international financial organisations like the WB in such matters is understandable, it is less understandable why the International Labour Office (ILO), which would seem to take a different stance due to its position and composition, also adopts this line. Although the ILO's views concerning further flexibility in labour markets do not fully coincide with the views of the WB and other financial institutions, it still supports further flexibility, which suggests that the destruction brought to labour markets through de-regulation has pushed the ILO into a defensive position. While pointing out some negative consequences of full-fledged deregulation in labour markets and standing against such a policy line, the ILO still recognises the need to reform labour markets —which means a process of controlled flexibility— to achieve economic development in developing countries. The ILO further holds that a process of so-called 'underground flexibilisation' was experienced in the 1980s and that structural adjustment policies have had the effect of de facto flexibilisation in labour markets (ILO, 1995, pp.83-86).

In retrospect, it can be safely stated that the discourse on the flexibilisation of labour markets has served its purpose. Flexibility has translated into the full deregulation of labour markets and, as a result, informal employment has gained considerable ground. In the late 1980s, the phenomenon of 'in-formalisation' —which was, until that point, regarded as a way of coping adopted by developing countries and which was seen as relevant only to those sectors excluded by capitalist development because of insufficient employment creation— started to be observed in developed countries. Sassen (1997) stresses that in-formalisation became more and more manifest in the U.S. and Western Europe at this time (p.1), with the informal economy making up approximately 18% of the national income in Western Europe, 16% in Canada, 15% in Australia and 9% in the U.S. (far from the 33%-70% of the national income that the informal economy made up in developing countries, but still substantial), (ILO, 2005, pp.228-229).

At present, in-formalisation is no longer just a means of survival adopted by those sections of the population excluded from employment by capitalism; it is also a means by which capitalist firms reduce labour costs. In fact, in-formalisation provides a basis for eliminating obstacles to capital accumulation. Moving economic activity, and particularly employment, outside of formal structures can serve the double purpose of evading obligations such as taxes, social security contributions and severance pay, etc., and exploiting employees through discrimination on the basis of age, gender, ethnic origin, migration status, etc. Hence, efforts to remove obstacles to capitalist accumulation in the name of 'flexibility' are capable of bringing along vicious outcomes for the working class.

Starting from this point, this paper investigates in-formalisation and the employment of irregular migrant workers in the specific context of Turkey's construction sector. The export-oriented industrialisation model and structural adjustment policies adopted in Turkey starting in the 1980s led to the spread of informal employment at the time, particularly through outsourcing and sub-contracting. In the same period, Turkey also began to experience an increase in migration from surrounding countries; many international migration movements of different natures and origins targeted Turkey, and those migrants coming in specifically for the chance of informal employment

constituted an important part of this overall movement. In other words, the increasing scale of Turkey's informal economy was a considerable pull factor for migrant workers (Toksöz, 2007).

The phenomenon of in-formalisation together with the employment of irregular migrant workers displays different characteristics in different sectors. Among these, construction is a sector where in-formalisation is quite common and where irregular migrant workers have higher chances of finding jobs. In the summer of 2007, we conducted a survey of 50 workers in Istanbul and Iğdır, and it was found that, of these 50 workers, 45 were directly employed in the construction sector and the remaining 5 had employment indirectly related to the construction sector. Of the 45 workers employed in the construction sector, it was found that 35 were irregular migrant workers and 10 were nationals of the country. Interviews conducted with all of these workers gave us a chance to compare the working conditions of migrant workers to those of domestic ones.

Patterns of In-formalisation in the Construction Sector

There are about 112 million people worldwide who work in the construction sector: 74% of these people work in low-income countries while the remaining 26% work in high-income countries. Despite this overall picture, countries in the high-income group account for 77% of total output in the construction sector as opposed to the 23% of total output that the low-income countries account for (ILO, 2001, pp.5-6). This data clearly suggests that the construction sector in low-income countries is largely characterised by labour-intensive methods and low productivity.

Sub-contracting can be taken as one of the universal features of the construction sector. Relations among sub-contractors have moved forward along with the flexibility discourse associated with 'globalisation,' and as a result, the large majority of workers in the construction sector today are employed by sub-contractors (ILO, 2001). This means, in turn, that the majority of these workers are employed temporarily and in the absence of any work contract, and the result is a flexible and docile workforce for capital and a working order lacking almost all kinds of security for workers. The prevalence of sub-contracting in the construction business is also related with the great number of small scale firms in the construction sector. According to a UN origin report, 95% of all firms worldwide operating in the construction sector are small-scale enterprises employing fewer than 10 workers, and these small firms account for over 90% of total employment (CICA and UNEP, 2002, p.9). The further spread of informal employment as a result of sub-contracting relations in the construction sector and the unavailability of reliable and sound data are problems that are common to almost all countries.

The construction sector is traditionally characterised by the employment of migrant workers. The overall employment tendency can be outlined as follows: new rural migrants are employed at the earlier stages of industrialisation and then, when this work source is exhausted, migrants from other countries are employed. Training or qualification is not sought in persons to be employed in this sector (ILO, 2001), and unregistered migrant workers are widely employed (CRL, 2006). Studies so far conducted by the ILO suggest that employers in the construction sector are convinced that imported labour has a specific value in the sector and that this will continue to be the case in the foreseeable future. On the other side of the picture, workers are not really eager to work in the construction sector. In fact, many people get jobs in this sector either because they have no other alternative or because they regard it as a means of subsistence that they have to endure temporarily (ILO, 2001, pp.14-15). The construction workers we interviewed — both migrants and nationals— stated that they regarded their present employment as jobs that could be borne only for a limited amount of time.

The rate of informal employment is extremely high in Turkey. According to the most recent official data, 45.4% of the total employment of 20,867,000 is informal (TÜİK, 2008). At a level of 62.2%

informal employment, construction comes only after agriculture in the ranking of sectors with the highest rates of informal employment (there are 1,267,000 total workers in the construction sector, 788,000 of whom are unregistered), (TÜİK, 2006). Besides higher rates of informal employment, the construction and agriculture sectors share one more point in common: scientific studies, especially those focusing on workers in these two sectors, are almost totally lacking. Thus, unfortunately, we lack information that could be helpful in understanding and deeply analysing either of these sectors; nevertheless, sufficing ourselves with what is already at hand, let us try to draw a general framework for in-formalisation in the construction sector.

First of all, it is necessary to underline the structure of the construction sector, which is based largely on small-scale enterprises and thus facilitates informal employment. Although it may be considered ‘old,’ we convey data from the year 2000 since it is the latest available. According to the table below, micro-enterprises with 1 to 9 workers make up 71% of all enterprises in the construction sector:

Number of workers	Number of workplaces
1-9	11,368
10-19	2,407
20-49	1,736
50-99	591
100-199	177
200-499	75
500+	39
Total	16,033

Examining data related to total employment in the construction sector for the period 2000-2006, we observe that the figure remains in the interval 1,100,000-1,300,000 for all years except 2002 and 2003, when total employment in the sector dropped to 950,000. This decline was clearly the result of the economic crisis that broke out in 2001, and because the crisis a priori led specifically to the closure of small-scale enterprises, the table given above for the year 2000 changed substantially in these years.

One of the leading problems of the construction sector is the abundance of contractors engaged in informal work. In Turkey, there is no criterion of eligibility for those who want to engage in contract work, and according to the legislation currently in effect, anyone registered with the Chambers of Industry and Commerce is allowed to deliver contract services. There are 91,400 contracting firms licensed by the Ministry of Public Works and Resettlement, and about 70,000 of these are presently active. In fact, there are also many contracting firms operating without a license in Turkey, and because of this, the total number of contracting firms (both licensed and unlicensed) is 200,000. This means that the number of such firms in Turkey is more than the total figure for all EU countries combined (Güneş et. al., 2004, p.18; YEM and İMSAD, 2007, p.71).

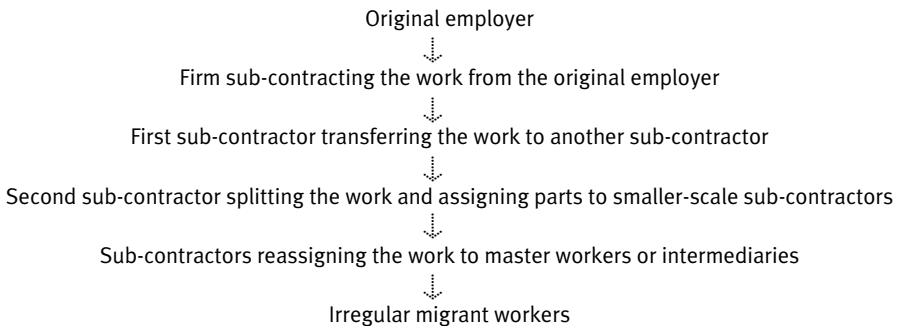
The high number of contracting firms in Turkey brings along with it another problem. Because the number of jobs is incomparably lower than the number of firms, there are too many firms participating in tenders, and a rather fierce competition ends up taking place. To be awarded a contract, firms keep prices even lower than what can be considered as ‘minimum,’ (DPT, 2006, p.46), a situation that the people we interviewed during our field surveys frequently cited as a problem. Over and

above the burden this places on normal workers, it is exactly this situation that paves the way for the employment of irregular migrants.

Before addressing the issue of irregular migrant workers and their employment, it is necessary to touch upon another important problem related to the construction sector: the high incidence of (often fatal) work accidents as a result of the failure to adopt appropriate work safety and health measures. According to 2006 data, of the 79,027 work accidents in Turkey that year, 7,143 took place in the construction sector, making construction the second highest in the ranking of sectors. Of the 1,953 work accidents that resulted in permanent work disability in 2006, 425 were in the construction sector, and in addition, the sector accounted for 397 of the 1,592 fatal work accidents. In terms of permanent work disability and fatality, the construction sector was (and is) at the top of the list (SGK, 2006).

The Employment of Irregular Migrant Workers and the Reasons Underlying This Employment

As mentioned earlier, construction is one of the sectors in which the incidence of irregular migrant employment is highest. We have no data about the number of such workers; still, adding up everything, one can safely say that the number of informal workers in the construction sector is well above 788,000. Irregular migrant workers are mostly employed in work which is undertaken by tender and which is to be completed within a specific period of time. The network of in-formalisation, or the chain of exploitation, can be schematised as follows:



The first firm, which the original employer awarded through tender, transfers the work to a second firm, and at this point the work enters the process of in-formalisation. The work is then transferred, in a chain, to a third and even a fourth sub-contractor. Towards the end of the chain, the firm undertaking the work splits it up and gives parts to small-scale sub-contracting firms. Finally, these small-scale firms give the parts to their master workers or intermediaries.

Earlier, we outlined the overall tendency in the sector as follows: 'new rural migrants are employed at the earlier stages of industrialisation and then, when this work source is exhausted, migrants from other countries are employed.' However, the situation in Turkey does not fully coincide with this model because the people who presently constitute the bulk of those employed in the construction sector are workers of Kurdish-rural origin who have moved to urban centres. In Turkey, then, irregular migrant workers are not employed as a result of an exhausted domestic source of labour but rather as a result of conscious preference. Although Turkey as a whole receives migrants from a variety of countries, employers in the construction sector heavily favour those coming from specific countries: for the year 2007, these countries were Azerbaijan, Turkmenistan, Afghanistan and Georgia. Ethnic relations play a decisive role in this preference, and those coming from the first three countries

mentioned above are recruited by employers on the basis of their being ‘Moslem Turks.’ For those coming from Georgia, the basis of their recruitment is their affinity with the people of the Eastern Black Sea region.¹

The employment of unregistered migrant workers gives the original employer the opportunity to have its work done at lower cost, and it gives the sub-contracting firms the opportunity to compensate for prices pushed down as a result of competition. This relationship brings returns to all parties connected in the chain — from the original employer to the smaller firms— with the exception of the irregular migrant workers who constitute the final link in the chain. Yet, for irregular migrant workers, the situation is even worse since those who take advantage of them are not limited to the firms mentioned above. Networks of human traffickers often catch irregular migrant workers while they are crossing borders, and while seeking for jobs, irregular migrant workers are also often exploited by persons who illegally intermediate between them and their prospective employers.

Because of their illegal status, irregular migrant workers constitute an extremely flexible and unprotected source of labour. As such, employers can exploit them to further reduce labour costs, and they can easily recruit or dismiss them when there are seasonal changes or fluctuations in demand without any legal or institutional procedure. Now let us try to take a closer look at the working conditions of these workers.

The Working Conditions of Irregular Migrant Workers

Almost all irregular migrant workers in the construction sector do unskilled, low-level work, including mere load carriage; skilled work is almost never available to irregular migrant workers. While some of these workers have skills and experience in construction, even they are employed in ordinary jobs not requiring any skill. Each piece of work is given not to individual workers but to teams and workers in each team supervise each other’s work. All irregular migrant workers are paid daily; the amount of work to be performed in a working day is set in advance and earning the daily wage depends on the completion of the daily work, which is mostly heavy labour that requires long hours of working. In return, daily pay is so low that workers only earn what they absolutely need for mere subsistence. As stated earlier, the construction sector is among those with the highest incidence of work accidents, including fatal ones. Yet, construction workers, both nationals and migrants, are not supplied with any protective equipment or clothes during their work. If any accidents occur, employers either refer injured workers to a healthcare facility that they know (in which case the costs are to be deducted from the workers’ pay), or they simply dismiss them since they are no longer considered ‘employable.’

Despite their extremely heavy workload, these workers are poorly nourished, receiving breaks and food sufficient only for bare survival during their long days. Lacking even the most basic facilities and infrastructure (including baths and toilets), they endure inhumane conditions as they try to live in a corner of their construction site or in the woods. As irregular migrant workers, their employment and dismissal are arbitrarily decided upon by employers, and in some cases promised pay is not made even when they have completed their assigned work. As far as their situation is concerned, the historical sequence following the Industrial Revolution —with negotiation-based personal relations between worker and employer evolving into collective bargaining between trade unions and employers or employers’ organisations— has been reversed back to the bleak times of early capitalism. Indeed, there is no bargaining at all preceding the employment of migrant workers, and the existing relationship between worker and employer is marked by the uncompromising hegemony of the employer —all with the State’s tacit complicity as well. The prevailing conditions can be considered as nothing less than a ‘new form of slavery.’

Before concluding, it should be stated that the overall working conditions of the nationals who also work in the construction sector is not much different from that of irregular migrant workers. The large majority of these national workers are employed temporarily and informally. Their wages are also low, and they can be dismissed from their job almost as easily as irregular migrants. Still, since they at least have their rights as citizens and can thus show more resistance than migrant workers to abject methods of worker exploitation (including denial of pay or excessively long working hours); they are faced with slightly less pressure. Nonetheless, finding jobs in the construction sector is often rather difficult for nationals, especially in the summer months when the sector revives and the number of incoming workers from rural areas increases (since they are unskilled, rural workers have almost no chance to find jobs outside the construction sector, and as such they make up a reserve army that construction employers may refer to whenever they need). This situation diminishes the nationals' already weak potential for resistance, and it ultimately forces them to accept jobs even under the worst conditions.

Conclusion

Construction is one of the sectors in which informal employment can be observed most widely – not only in developing countries, but in developed countries as well. The relations among different sub-contractors and workers constitute the principal means of this in-formalisation. Through the sub-contracting system, any work that is contracted out at the initial stage changes hands many times in the process, hence economic activity is moved out of the formal sphere, and hence (more importantly) supervision becomes virtually impossible. Along with the implementation of neo-liberal policies, attempts to fully flexibilise labour markets further worsen already fragile relations in the construction sector, especially because the increasing visibility of irregular migrant workers becomes a prominent feature of this sector. As far as irregular migrants are concerned, the ever-worsening conditions of work and the lack of legal protections inevitably invite the term 'devastation.'

The situation briefly described above applies, in part, to the construction sector in Turkey, which is characterised by an overwhelming preponderance of small-scale enterprises and a high rate of informal employment. Still, there is a difference: while in other countries irregular migrant workers are only employed when domestic sources of labour are exhausted or when there is reluctance towards working in the construction sector, in Turkey irregular migrant workers are preferred to nationals of the country even when the latter are readily available. In spite of this difference, though, the aim of the employers is the same: the creation of a fully flexible and docile labour force that will not pose any problems for the process of capitalist accumulation.

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**Conflict, the Environment of Human Insecurity and Migration in Iraq in the
Aftermath of 2003**

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Introduction

The Middle East has witnessed various waves of sudden population movements and the displacement of a large number of people since the 1948 Arab-Israeli War, which resulted in 700,000 displaced Palestinians (Russell, 1989, p. 27). The most recent of these population movements have been the flight of Iraqis after the 2003 invasion and the flight of Lebanese following the summer 2006 War (Hourani and Sensenig-Dabbous, 2007). In 2003, for an earlier study, I compiled available data and discussed the potential influences of the war on international migration from Iraq (Sirkeci, 2005a). At the time, there were only a few studies on Iraqi international migration despite the significant refugee crises which had occurred since the 1988 Anfal operations of Saddam Hussein (Allawi, 2008). In the aftermath of the Iraq invasion, there has been an increased interest in the subject, possibly due to the sheer scale of displacement which has occurred recently. Most sources today cite a total figure of about 4.5 million for the number of Iraqis displaced after the 2003 invasion, including Andrew Harper (2008), the head of UNHCR's Iraq Support Unit, says UNHCR believes the figure should be about 4.5 million (p. 51). Harper also states that the capacity to host displaced people in the safer areas of Iraq and in the neighbouring countries of Syria and Jordan has already been stretched thin. Today, the most important questions revolve around whether or not these population influxes are about to cease and how we can understand future repercussions against past trends. Wars and continuing conflicts in the Middle East have turned many of the region's immigration countries into sending countries, and this has been true of Iraq just as it has been true of other states in the Gulf. In the past, Iraq was a country of immigration attracting many contract workers from abroad, but with the Iraqi invasion of Kuwait in 1991, 2 million immigrants fled the country and a significant number of Iraqis emigrated.

This study revisits Iraqi international migration since the 2003 Iraq War from the perspective of human insecurity, distancing itself from the 'securitisation of migration' discourse. International migration from Iraq is a significant case to study because of the central role that the country's different conflicts have played in changing international migration regimes and geographies. Studying the Iraqi exodus can help policymakers in the fields of international migration, security and political science to have a better understanding of migration and conflict patterns. The reader should bear in mind that Iraq is not a unique case; it is comparable, in varying degrees, to other conflicts and migration movements in other parts of the world. Based on secondary data available from international organisations, this paper will discuss Iraqi international migration with reference to the environment of human insecurity concept formulated in a conflict perspective. I will first present a conceptual framework which seems to be appropriate in explaining international migration flows in conflict zones, and then, I will discuss current Iraqi migration trends along with investigating their implications for the future.

International Migration, Conflict and the Environment of Human Insecurity

There is a growing research interest in the nexus of conflict and migration. Wars and other latent, less intensive conflicts are closely linked to the international migration of disadvantaged ethnic groups (Stansfield, 2004; Sirkeci, 2006); however, more importantly, the research shows that intra-state conflicts, when compared to inter-state conflicts, cause greater casualties (Akashi, 2006; Yeo et al., 2006) and, by implication, cause larger population displacements. Therefore, intra-state conflicts deserve more attention from migration researchers. Nonetheless, as a force which facilitates international migration, 'conflict' is not limited to extremely violent struggles but includes a range of situations in which parties with conflicting interests meet.

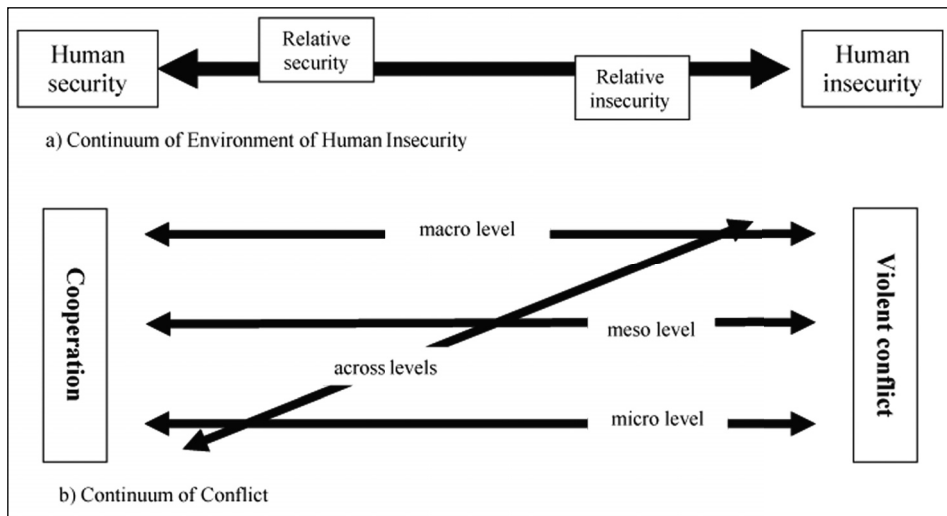
My colleagues and I initially discussed the 'environment of insecurity' concept in relation to the Kurdish question in Turkey (Icduygu, Romano & Sirkeci, 1999). Later on, I expanded on the strategic options available to those living in insecure environments, applying the model to Turkish Kurdish

emigration from Turkey to Germany (Sirkeci, 2003, 2006). There I also introduced the concept of ‘opportunity frameworks,’ which was later used in analyses of Iraqi and Turkmen migration (Sirkeci 2005a, b), Lebanese migration (Hourani, 2007), and Alevi migration (Zirh & Erdemir, 2008). Working with this model, I found that conflict aspects were more central and significant in determining migration mechanisms, typologies, and policies.

International migration can be discussed as a process involving two opposing parties –that of a migrating human person or group and that of a regulating or controlling agency– with conflicting interests. At the same time, existing migration typologies discuss migration in terms of voluntary versus forced, illegal versus legal, economic versus political, etc. However, understanding migration process with reference to conflict is also critical of those typologies which are not adequate to represent the multiple and dynamic causes and motivations for international migration, and they are especially not adequate to represent the relation of the migration process to conflict.

Various conflicts are identifiable at various levels in the migration process (e.g. within households, among individuals, and between governments). Following Dahrendorf (1959), I use ‘conflict’ with a wider meaning, referring not only to manifest clashes, such as revolts, wars, and armed conflict, but also to contests, competitions, disputes, and tensions, all of which may additionally be considered as explicit or latent on Parsons’ scale (Parsons, 1954, p. 329). Thus, my usage of the term ‘conflict’ covers all relations that involve incompatible objective differences (Dahrendorf, 1959, p. 135). Hence, conflict is understood on a continuum ranging from cooperation (where differences are cleared) to violent conflicts (where consensus is either not possible or not preferred) (Figure 1). Regarding international migration, for instance, bilateral labour migration agreements between countries are examples of cooperation (at the macro level) while refugee crises in war zones fall towards the other, conflict end of the continuum.

Figure 1. Conflict and Human Insecurity



The streams of conflict are described on many levels: the macro level (e.g. conflicting policy stances in sending, receiving and transit countries), the meso level (e.g. tensions among migrant and non-migrant households and communities, and also tensions regarding gender roles within households),

the micro level (e.g. conflicts between individuals; non-migrants vs. migrants), and also across levels (e.g. conflicts between regulating agencies and migrating human agency).

The streams of conflict (Sirkeci, 2007) are the dynamic building blocks of the international migration process. The continuous conflict between the regulating agencies and migrants effects changes in migration regulations (e.g. the tightening of admission rules), and in response to such changes, migrating human agency changes his or her strategies, mechanisms, routes, and pathways. This corresponds to cross-level conflict where the regulating agency is represented by government officials (e.g. border control officers) and the human agency is border-crossing regular or irregular individuals or families. There is also across-level conflict when, for example, the governments of sending countries (e.g. the Baath regime in Iraq) clash with members of disadvantaged ethnic groups in those countries (e.g. the Turkmen in Iraq). When the former forces the latter to accept an 'Arab' identity (i.e. the Arabisation policies), the latter may opt for international migration (strategic option: exit) or may opt to stay and accept the imposed identity (strategic option: status quo). Households provide examples of meso and micro level conflict with regards to the influence of international migration on gender roles. For example, when husbands move abroad as 'guest workers,' wives often have to take charge of the households left behind, which can even lead to violent conflicts (i.e. domestic violence) when immigrant husbands return and want to be the head of the household again. In the Iraqi case, conflict occurs on multiple levels; there are policy clashes between the Iraqi government and the governments of countries which have to accept millions of Iraqis who fled the country (state level); irregular Iraqi migrants crossing international borders without papers (multi-level); and the power structures within Iraqi households change as males are more likely to migrate and pass power to women left behind (household level).

In conflict situations, international migration may appear as a strategic option in response to insecurity. This is what we may call 'conflict-induced insecurity' or as formulated in general, an 'environment of human insecurity' (EOHI). Previously I have called it 'environment of insecurity' (EOI); however, within today's heavily 'securitised' international migration discourse (which has been particularly widespread since the 9/11 attacks), it is necessary to distance this human security perspective from state security perspectives and move towards human security where individual's needs are the most central and highly prioritised. As I have discussed elsewhere, this approach may also refer to the model of Maslow's hierarchy of needs model (1943), which assigns significance to security among other needs (Sirkeci, 2007). According to Maslow, security needs come after basic needs such as air, food, shelter, and sex, all of which must be satisfied before higher level needs can be attended to. The security of home and family, community, neighbourhood and country (most likely in this order) will be prioritised by potential migrants. Of course, the perceived satisfaction of needs is relative, and this should also be taken into account. But, in any case, we can argue that emigration is one way of satisfying security needs.

The conflict-induced EOHI has two primary components. The first is the material environment of insecurity, which is characterised by poverty, deprivation and armed conflict. The second is the non-material environment of insecurity, which is characterised by the fear of persecution, discrimination and practical constraints such as language barriers (Icduygu, Romano & Sirkeci, 1999; Sirkeci, 2005, 2006). People exposed to the EOHI have two strategic options: a) status quo and b) exit. The exit option may involve adopting a rival ethnic identity, defending it, joining the rebels, or simply leaving the conflict area. The status quo option primarily refers to those who remain in the region and adopt the dominant 'ethnic' identity (e.g. Turkish), adopting the dominant 'civic' identity (e.g. a Turkish citizenship), and/or aligning with government forces (Icduygu, Romano & Sirkeci, 1999; Sirkeci, 2006). There can also be mixed strategies.

Here the reader should note that I am deliberately avoiding the migration typologies because contemporary international migration is better understood as a complicated human movement involving different types of migrants, such as refugees, asylum seekers, family migrants, illegal migrants, migrant workers, and professionals who cross borders in search of (relative) security and often do so because of multiple, mixed motivations (see Faist, 2000; Castles, 2003, 2004). Compared to the migration typologies, the concept of EOHl better reflects the mixed causes for international migration.

This conceptual framework is informed of existing international migration models. Models emphasising wage, wealth or income differentials; migration systems; the effects of geographical and political proximities; dual labour markets, and cumulative causation are taken on board. For example, economic push factors in sending countries can be conceptualised in an economic conflict context. Similarly, dual labour markets in destination countries can be conceptualised as a conflict between immigrant labourers and natives. Migration experiences can contribute to a culture of migration and thus enable or facilitate future migrations in correlation with the degree of conflict at different levels. Therefore, in using the EOHl conceptual framework, I still acknowledge that Iraqi transnational migration is responsive to structural and temporal differences between Iraq and different countries of destination, and also that Iraqis have followed pathways similar to those of other countries in developing a culture of migration.

Environment of Human Insecurity in Iraq

A new era started with the invasion in 2003 represents a continuity of EOHl for Iraqis. Today, socioeconomic deprivation is widespread while the reconstruction of Iraq is still crawling along at a slow pace. Ethnic groups are fighting to gain a share in the new power (im)balance and in the revenue from Iraq's natural resources (i.e. oil). Instead of the Baath Party's decades-long Arabisation policies (Batatu, 1978; IGC, 2003; Kerkuklu, 2004), the country is now more likely to see various 'ethnicisations' within the current civil war context (e.g. Kurdistan, religious varieties of Arabisation, etc.). For more than ten years, Iraqis suffered from the United Nations' sanctions and embargo (Alnasrawi, 2001), which, along with continuous bombings and the 2003 invasion, have turned a once-oil-rich country into a failed state struggling to survive on international humanitarian aid. Of course, Iraq's human rights record under the Saddam regime was shocking and constituted a significant part of the EOHl (HRW, 2003). Yet, after the invasion, the human rights situation has deteriorated even more as interim and new Iraqi administrations along with US-led invasion forces are equally brutal in their torture methods and attacks on civilians (HRW, 2008). As Day and Freeman (2003) noted, after the invasion, an ultimately prosperous future in Iraq is not as likely as those who hopefully predict full reconstruction within a decade believe (p. 309). These grim prospects, including long-term instability and civil war, have motivated many Iraqis to migrate. The 2003 invasion and the chaotic period which has followed it have added to the EOHl in Iraq. Conditions have worsened in terms of socio-economic deprivation; economic, health, and educational opportunities are lacking; and it is difficult for Iraqis to satisfy basic needs. Conditions have also worsened in terms of political deprivation; currently, there are power vacuums in many areas, and there is an ethnic disparity in power sharing. Physical insecurity due to everyday religiously-, politically-, and economically-motivated street violence is another aspect of the environment of human insecurity in Iraq.

While the EOHl is not just about killings, insurgencies, and bombings, these are important underlying factors determining perceptions of insecurity. A recent Brookings poll reports that 60% of Iraqis rate economic conditions in their county as poor while 75% rate security conditions as poor. While it isn't surprising that conditions have become poor from the perspectives of the economy and security, it is surprising that political conditions have worsened for some minorities. Although the Kurds have been

satisfied with the American-led invasion and occupation of Iraq, growing dissent is visible among Sunni segments of Iraqi society (O'Hanlon & Campbell, 2007, pp. 55-57).¹ In terms of Iraq's economic condition, perceptions of poverty rest partly upon the slow-moving reconstruction of Iraq (the GDP per capita is still below 1,200USD). According to a UNDP report, in 2006 about one third of Iraqis were suffering from deprivation, and in 2004 about two thirds had poor economic status at the household level. The report also revealed that about 70% of Iraqis' basic needs were not being met in mid-2006, that 80% of Iraqis suffered from a lack of health services and a lack of adequate housing, and that 70% of Iraqis were deprived of educational services. All of these factors contribute to 'relative deprivation' among Iraqis, and in fact, the UNDP report ranks all of Iraq as a high deprivation zone, ranging from poor to very poor (UNDP, 2006, p. 18).

The lack of economic opportunities in Iraq is accompanied by poor educational services and correspondingly low levels of educational attainment: in fact, about one third of the Iraqis living today never enrolled in school and another 26% did not complete primary school (UNDP, 2006, p. 21). This means a great deal in a country with a population of over 28 million, half of which are children and young adults under age 20; the situation also suggests that there will be difficulties in the near future when considered alongside the fact that about 40% of Iraqi professionals, including more than a third of all medical doctors, fled the country after the invasion (UNAMI, 2007, p. 2).

Political instability coupled with ethnic tensions and insurgencies are a considerable part of the EOHI in Iraq, with ethnic tensions having been a considerable part of the EOHI in Iraq since Saddam Hussein's reign, when Iraq's various ethnic groups faced varying levels of ethnic cleansing. The Kurds were the most visible group subjected to ethnic cleansing (most notably in 1988 and in 1991), but other minorities, including Turkmen, Assyrians, Christians, and Jewish Iraqis, also suffered from the same brutality, though it was rarely reported. The invasion of Iraq in 2003 aimed at a regime change, or at least the toppling of Saddam Hussein. The end of Saddam's reign, however, was not followed by an immediately-functional replacement regime. Instead, Iraq was left with a power vacuum in most areas, and a number of less-than-careful attempts to achieve ethnic and religious balance in the country paved the way for inter-ethnic clashes which have caused a high toll of casualties and enormous displacement, as yet unquantifiable.

Political deprivation, one aspect of material and non-material human insecurity in Iraq, results from a nationwide conflict among different ethnic and religious groups over the distribution of Iraq's (oil) resources and political power. The political uncertainty in Iraq today is not only due to the wars; but is also deeply rooted in decades-long oppressive regime of Saddam Hussein. Long term ethnic tensions were linked to the fact that the Sunni Arabs (the minority compared to Shia population) had run the country for half a century (Day and Freeman, 2003; Hurmuzlu, 2003). The elections in Iraq after the 2003 invasion proved that the country is still far from a political consensus. In the elections, Shiites gained a majority, and the Kurds gained a disproportionate share of representation at the expense of Sunni Arabs and other smaller minorities, which boycotted the elections. The increased ethnic violence witnessed recently has made it impossible for the new Iraqi government to settle into power. Around the options of federalism and oil revenue sharing, representation issues regarding ethnic and religious groups is one aspect of the current instability while ethnic and religious hostilities have grown among civilians (and, perhaps more dangerously, among government officials), which are key drivers for deteriorating human rights conditions (HRW, 2008). Despite 5 years passed since the American-led invasion, Iraq is still far from peace, and the environment of human insecurity has been further deepened by the post-war insurgency. It seems that tensions among ethnic groups will

¹ Perhaps it is appropriate to provide here an ethnic and religious breakdown of Iraq's 28 million-person population. Ethnically, Iraq is formed of Arabs (75-80%), Kurds (15-20%), and Turkmen, Assyrians and others (5-10%). Religiously, Shiites constitute about 60-65% of the population, Sunnis about 32-37%, and Christians and others 3% (CIA, 2003). It is important to recognise that almost every ethnic group accommodates Sunni and Shiite memberships and that depicting Iraq as conflicting groups of Sunnis, Shiites, and Kurds is somewhat misleading. In analysing Iraq from a sociological perspective, researchers need to be cautious of the fact that ethnic and religious boundaries are often crossed.

continue, and that some ethnic groups will be under additional pressure to flee among the scores of displaced Iraqis.

Political uncertainty and sectarian conflicts contribute to the physical insecurity felt by Iraqis in the wider context of invasion and post-invasion events. In 2006, the estimated death toll in Iraq since the American-led invasion was given by *Lancet* as 601,027 (Burnham et al., 2006, p. 6); in 2008, the World Health Organization estimated the total death toll to be 151,000 (IFHSSG, 2008). At the end of 2006, the number of inter-ethnic attacks was averaging 15 per day, and ethnic cleansing and displacement forced an average of over 100,000 people out of their homes per month (O'Hanlon & Campbell, 2007). At the same time, an Iraqi poll indicated that, by the end of 2006, one in four Iraqis had had a family member or relative murdered since the invasion, one in eight had had a friend murdered, and one in six had had a family member, relative or friend kidnapped during the same period. In 2007, the Brookings Institute reported that the number of daily insurgent attacks exceeded 175; that there were over 50 multiple-fatality bombings and 14,000 people killed per month on average; and that there were kidnappings of 30-40 people per day. All of this indicates that ethnic conflicts have spiralled out of control since the invasion, and the inevitable outcome one would expect from this is ethnically disproportionate migration.

The general state of the inter-ethnic affairs in Iraq, the country's shattered economy, and political uncertainty all contribute to the perception of an EOH which facilitates migration, displacing people who choose the exit option as defined in the conceptual framework above. Reportedly, over 4.5 million Iraqis have already left their homes; some have sought refuge in the relatively safe Kurdish-controlled northern region of Iraq while millions of others have fled into Syria, Jordan, other neighbouring countries, and even to farther away countries.

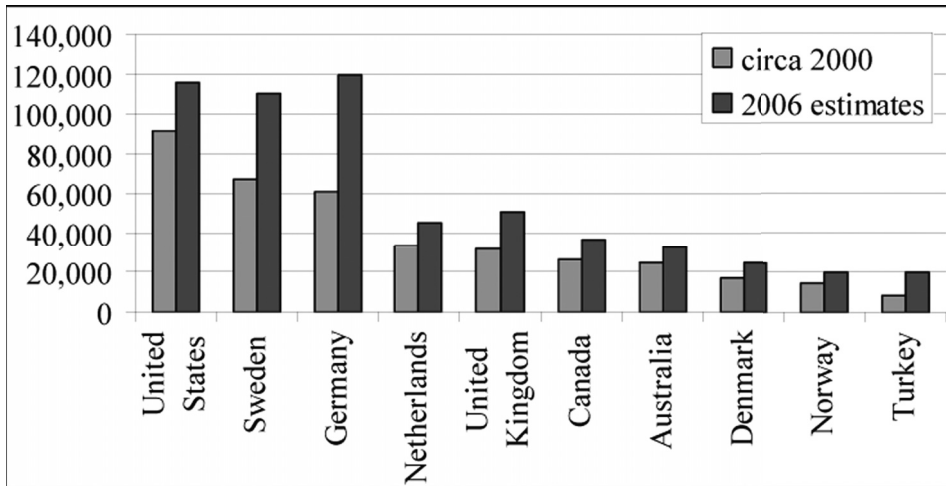
Iraqi International Migration

The Anfal operations in 1989-90 caused about 200,000 deaths and the displacement of almost 1.5 million people, most of whom were Kurds (Allawi, 2008). When Saddam crushed a number of Kurdish uprisings in March 1991, another million refugees left for neighbouring countries, mainly Iran and Turkey (Hooglund, 1991; Hobsbawn, 1994). Similar patterns can also be found among Iraqi Turkmen, who have fled the country in increasing numbers since the late 1980s (Sirkeci, 2005b). Thus, emigration from Iraq has historically been a common response to the conflict-induced EOH in the country. Today, Iraqis are displaced in large numbers; about one fifth of the population is internally or internationally displaced, and strong ethnic and religious tensions are likely to cause many more to flee the country in the near future. Under the Saddam regime, it was Kurds, Turkmen and other non-Sunni Arabs who fled the country. Yet today, given the relatively stable and secure environment now established in the Kurdish-controlled areas of the north, as well as the relatively privileged position of Shia Arabs in the 'new Iraq,' it is likely that future migration from Iraq will be dominated by Sunni Arabs and other smaller minorities unless a miracle stops the current ethnic conflicts.

The First Gulf War forced about 2 million immigrants to leave Iraq (Sirkeci, 2005a) and, more recently (in a different part of the Middle East), the summer 2006 Israeli attack on Lebanon forced about 250,000 people (mainly foreign nationals) to leave Lebanon by means of an international evacuation effort (Hourani, 2007). It can likely be argued that the First Gulf War marked the end of the immigration era to Iraq, signalling a turning point in Iraqi international migration. Before the Gulf War, Iraq, like other Gulf States, was a significant destination country for contract workers and domestic workers. Around the time of the Gulf War, however, Iraq was quickly becoming a significant sending country. In addition to the war itself, it should be mentioned again that Saddam's attacks on Kurds between

1988 and 1991 created a million-person Iraqi refugee Diaspora in neighbouring countries. Kurdish migration from Iraq began to receive more attention, though often as part of wider accounts of the Kurdish question in the region (e.g. McDowall, 1996; Nezan, 1996; Griffin, 1999; White, 2000).

Figure 2. Top 10 OECD Countries with the Largest Iraqi Immigrant Populations



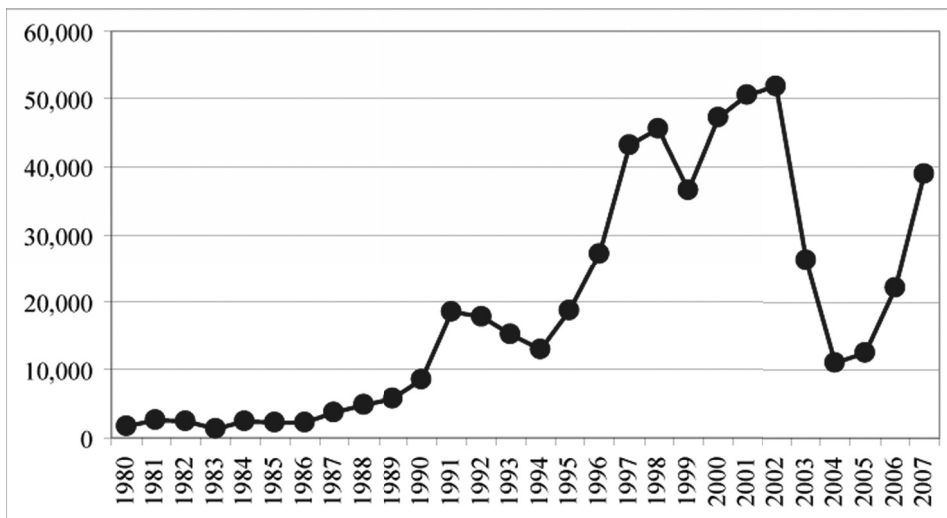
Despite its protracted war with Iran during the 1980s, in 1990 Iraq was not a major sending country, and the stock of Iraqi immigrants in industrialised countries was almost negligible. However, the two most recent wars in Iraq (1990-1991 and 2003-present) have urged more and more Iraqis than ever to move abroad. In about a decade, many industrialised countries saw their Iraqi immigrant stocks increase sharply. According to OECD statistics, the number of Iraqi immigrants in OECD countries was estimated to be 348,527 in 2000, indicating an emigration rate of 1.5 (Dumont, 2006), which is shown in Figure 2 (Note: the last 7 years are not covered in these statistics, and in addition, the Iraqi asylum seeker and refugee populations are not included). Based on recent Iraqi inflow figures in selected industrialised countries, one can come up with a rough idea of the current stock of Iraqi immigrants. For example, in Sweden, the number of Iraqi immigrants increased from less than 30,000 in 1996 to above 72,000 in 2006. In other countries, similar increases are estimated due to the increasing violence and death toll after 2003, and particularly after 2006, a year which saw a dramatically increased number of inter-ethnic attacks, including mosque bombings and suicide attacks. Based on Iraqi immigration flow statistics available from OECD reports and Migration Policy Institute data, the total immigrant population in industrialised countries probably reached about half a million in 2006. However, even this is an underestimation of the total number of Iraqi immigrants because there is no comprehensive data on naturalisation and undocumented immigrants. International Organisation for Migration estimates that 1,270,000 people have been displaced in Iraq in the two years of escalating sectarian violence since the February 2006 bombing of the Samarra Al-Askari Mosque, which is believed to have escalated sectarian violence in Iraq (IOM, 2008). Due to difficulties in crossing borders and making arrangements for long-distance regular migrations, one should not expect similarly large numbers of Iraqi immigrants to arrive in industrialised countries anytime soon; however, an increase is likely in the long run, similar to the pattern that was seen in the aftermath of the 1991 Gulf War (Hooglund, 1991; Russell, 1992).

Besides the Iraqi immigrant populations discussed above, many other Iraqis have also fled Iraq, including asylum seekers, refugees and clandestine migrants who have arrived in neighbouring

countries as well as countries much farther away. In 2001, UNHCR reported that 530,000 of the 12 million refugees in the world were of Iraqi origin. Following an earlier peak in 1992 (1,343,800), the number of refugees from Iraq was reduced to 700,000 in the mid-1990s and to around 580,000 by the year 2000. By 2004, UNHCR records indicated that there were less than 312,000 Iraqis refugees worldwide. Figure 3 displays the number of Iraqi asylum seekers (i.e. pending refugees) who were in industrialised countries during the period from 1980 to 2007. Note how sharp increases in asylum seeker flows follow as an effect from the worsening environment of human insecurity at specific, conflict-ridden moments in Iraq's history.

It should be noted that is expressed by sharp increases in asylum seeker flows in the immediate periods following key turning points in the history of conflict in Iraq. UNHCR records were indicating less than 312,000 refugees by 2004. The 2003 invasion did not do favours to the organisation, UNHCR, dealing with displaced populations. Later, following the recent outbreak of insurgencies (e.g. the bombing of the mosque in Samarra) added further pressure on organisations dealing with displaced populations. By the end of 2006, the UNCHR expressed concern about 3,518,944 Iraqis, of which 1,450,000 were refugees and 47,373 were asylum seekers (UNHCR, 2007).

Figure 3. Iraqi Asylum Seekers in Industrialised Countries, 1980-2007



Source: UNHCR (2008), UN (2002).

Most recent estimates show that about 2.5 million Iraqi refugees have fled to neighbouring countries, mainly Syria (up to 1.5 million), Jordan (over 700,000) and Iran, Egypt and Turkey (about 200,000). This means that the total number of Iraqi refugees and asylum seekers will be well over 2.5 million by the end of 2007.

Over 95% of the asylum applications reported in Figure 3 was filed in Europe. This is significant because those Iraqi immigrants in Europe and other industrialised countries are less likely to return to Iraq than immigrants in neighbouring countries. One can assume that the current total Iraqi immigrant population in industrialised countries is around a million, and that it has a correspondingly large 'migration network.' One should also notice another trend in Figure 3: namely, asylum applications tend to continue increasing many years after crucial events in conflict history. The relatively steep

lines seen after major incidents such as Anfal (1988-89) and the American-led invasion of Iraq (2003) are indicative of this trend. One could see similar a correlation with overall migration flows as well.¹ Crucial event years have always been the periods during which mass refugee flows were recorded.

Wars and ethnic conflicts combined with socio-economic and political deprivation contribute to a general environment of human insecurity, which may also serve as an opportunity framework for those who already had existing migration plans and/or networks. During the last three decades of wars and internal conflicts, Iraqi immigrants have established migration networks as they have formed sizeable immigrant communities in developed countries. These networks are of crucial importance in maintaining migration flows in the future while also affecting destination choices and helping in the settlement process (e.g. finding jobs, shelter, etc.) (Massey et al., 1993).

One final aspect of the issue that we need to remember is that many Iraqis opt for irregular migration because of increasingly tight admission regimes and the very limited opportunities for regular migration. For example, the majority of Iraqi Turkmen emigrated from Iraq without appropriate papers (e.g. visas, passports, etc.) (Sirkeci, 2005b). Neighbouring, safe countries, particularly Turkey (due to its -geographical and political- proximity to the European Union, a major destination) are likely to see many Iraqis arriving with or without papers in the future. Other neighbouring countries, such as Jordan and Syria, are more likely to host refugee populations, as has been the case so far.

Concluding Remarks

Deprivation and inter-ethnic tensions in Iraq have set the agenda for a while and the end is not so soon. Overall poverty, persistent violence, killings, and political dissatisfied groups in Iraq will continue to be the main corner stones of environment of human insecurity in the country. Changes in US policy towards Iraq and possible withdrawal of troops after the next year's presidential elections will have an effect, yet to be seen. However, currently, one in ten Iraqis has already fled the country and another one in ten has been displaced within the country. Hence, emigration will remain as one of the strategic options for many Iraqis; disadvantaged ethnic groups and those suffering from violence will be more likely to emigrate; and European countries (including Turkey and via Turkey) will be the most preferred destinations.

The Kurds have created a relatively secure haven in the north which has been attracting many Iraqis internally displaced from other regions of the country. The Kurds' representation in the current power balance and the relative stability of their region may limit the immigration of Kurds. However, in the decades before the invasion, the Kurds contributed greatly to the Iraqi immigrant population in industrialised countries, and the networks that they have established then should be expected to carry a steady flow of Iraqi Kurds to those destinations where already established Iraqi immigrant communities reside. Shiite Arabs, while enjoying being in power, similar to Kurds, live in the areas of Iraq in which most of the violence occurs. As a result of such violence, over 60% of the internally displaced Iraqis are Shiite Arabs, who are likely to be over-represented among the refugees and asylum seekers. Other Iraqi groups may be more likely to emigrate because of political dissatisfaction. Sunni Arabs have lost their privileged ruling minority status since the invasion of Iraq which ended the Baath regime. They have protested the last two elections but yet participated in the one in December 2005. Turkmen, Assyrians, Yezidis and other smaller minorities were also not satisfied with the outcome of the elections and likely to be over-represented in international migration due to ethnic discrimination or fear of discrimination by larger, dominant groups.

For the European neighbourhood, the implication is very clear. The established Iraqi immigrant communities in Europe (which number about half a million people total) are likely to attract many more

Iraqi immigrants, given past refugee and asylum-seeking migration patterns. Historically, Germany, the UK, Sweden, the Netherlands and Denmark have been top destinations for Iraqi migrants and will likely continue to be top destinations in the future. Greece has become a favourable destination for Iraqi migrants likely because of its relative geographic proximity to Iraq. Turkey, a prospective European Union member state sharing borders with Iraq and Syria, is a prime destination because of geographic proximity, and moreover, it is likely to attract Iraqi Turkmen migrants in the future because of its cultural proximity to this group (Sirkeci, 2005b). All of these countries have been among the top five destinations for Iraqi asylum seekers since the 1980s (Sirkeci, 2005a). One should also note that the US, Canada and Australia have been immigration destinations for a significant number of Iraqis, but the long distance and these countries' tight admission restrictions may deter many in the future.

The environment of human insecurity in Iraq, insofar as it leads to future immigration flows, will primarily concern the above-mentioned countries. It seems certain that established networks of migration (e.g. earlier migrants, friends, and family), sectarian violence, political and economic deprivation in Iraq, as well as economic pull factors (e.g. wage differentials, job opportunities) will remain the determinant factors in causing Iraqis to migrate to countries outside of Iraq — primarily to Western European countries, as they follow in the footsteps of many Iraqis before them. Today, an Iraqi migration culture ultimately rooted in the decades of conflict in Iraq has emerged, and Iraqis have become part of the global transnational migration scenery.

Obsession with immigration control in Europe and of other industrialised countries suggests that many of those Iraqis who are suffering from human insecurity at home and seeking security abroad will be forced to bypass regular migration channels. In turn, such attempts are likely to produce tragic humanitarian situations along the borders of Europe, the likes of which have already been seen at the borders and shores of Turkey, Greece, Spain, Italy, and Malta. We have to accept that desperate Iraqi people need help to survive, which requires switching from a state security approach to an approach focusing on 'human security.' Like Bosnians, Kosovars, and Kurds over the past two decades, we will see more Iraqis arriving at the shores and borders of Europe through various channels. Europe must avoid discourses demonising immigrants (particularly Muslim and/or Middle Eastern immigrants) as potential terrorists and, instead, recognise their needs as human beings. A shift to considerations of human insecurity as a basis for migration policy-making is imperative.

Europe needs to focus and improve on the (human) security policies in its neighbourhood. Ethnic or not, conflicts in the periphery mean more uncontrolled immigration to Western Europe. Capacity building in Iraq with Iraqis and stabilisation of the economy and political power in a democratic way to respect human rights in Iraq are the main objectives to achieve in order to maintain a healthy international migration regime (involving two-way flows between Iraq and Europe). However, this is a difficult mission as it involves many international, national, and individual actors and also requires the eradication of the root causes of international migration, which are, for Iraq, violence and economic and political deprivation. Main target here obviously should not be and cannot be to control immigration which is often a futile effort. Castles points out three types of reasons for such failure: a) effect of social dynamics of the process of migration, b) the effect of globalisation and the North-South divide, and c) the different agendas of political systems (Castles, 2003, 2004, p. 205). To those, I would add the multiplying effect of the conflicts at the country of origin.

The migration (including internal displacement) of Iraqis is one of the most striking outcomes of the 2003 invasion, and thus it has attracted the attention and efforts of several international organisations. So far a rich volume of data has been collected in the depositories of these organisations, which include the IOM and WHO. In combination with an improved registration system in Iraq, these data

can provide better opportunities to analyse and understand international migration from (and back to) Iraq. The personal accounts of Iraqis, when compared to others in similar situations, may enrich our conceptual framework in understanding the migration-conflict nexus from a human security perspective. Still, many more studies are needed to analyse Iraqi migration trends and to test and improve the conflict model of transnational migration which I believe is conducive to understanding contemporary migration processes.

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**From Raindrops to Hailstones:
Environments of Insecurity in the Case of Emigration from Turkey to London**

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Following 9/11 and 7/7, discourse and practice concerning international migration in the European Union has been increasingly securitised and migration has come to be framed as a policy issue posing an existential threat that necessitates emergency measures (e.g. the Fortress Europe). Lately, however, there are increasing attempts to desecuritize international migration by bringing the public debates from the domain of the 'extraordinary' back to the domain of the 'normal' (Rittersberger-Tılıç and Erdemir, 2007). While some scholars challenge securitisation by eliminating questions of security and insecurity from their discussions, others emphasise questions of human security as an alternative to state security. The latter group of scholars' emphasis on 'security seeking human agency,' is a critique of the one-sided emphasis on 'security seeking regulatory agency' (Sirkeci, 2007, p. 35). One of the significant conceptual frameworks highlighting human security in migration debates is 'the Environment of Insecurity' initially formulated by İçduygu, Romano, and Sirkeci (1999), and further developed by Sirkeci (2005, 2006). This conflict perspective offers a framework by which to examine the strategic options of migrants in coping with environments of material and non-material security.

Emigration from Turkey to London presents an interesting case to explore within Sirkeci's environment of insecurity framework. Although this particular case of emigration involves the movement of people out of an environment of insecurity, the move does not necessarily lead people to an environment of relative security. The process was best described by one of our interviewees through the Turkish proverb 'out of the rain and into the hailstorm.' For Turkish immigrants who experienced economic, political, and religious hardships during the end of 1980s and the early 1990s and chose to settle in London, the environment of relative security that London had been believed to offer turned out to be another environment of insecurity, presenting immigrants with a range of hardships that is both similar and different from their earlier experiences in Turkey. Turkish immigration to London, therefore, presents an opportune case by which to study the strategies that immigrants employ to 'seek security' when faced with environments of insecurity both in sending and receiving contexts. More specifically, we ask the following two questions: (1) what happens when individuals immigrate to an environment of expected relative security only to be met with another environment of insecurity? (2) What are the strategies that such immigrants employ to cope with environments of insecurity that emerge over time in destination countries as conditions, rights, and provisions deteriorate?

The Environment of Insecurity

Sirkeci (2007) argues that "migration movements ... need to be understood in ... a dynamic and constantly changing conflict environment" (p. 33). The intensification of conflicts around the world in the post-Cold War era, has posed numerous challenges to human security, and has thereby triggered various kinds of population movements. In the current 'age of migration,' the objective threats to human security and the subjective perception of these threats can be conceptualised in terms of 'human insecurity' (Sirkeci, 2007). Human insecurity, as Faist argues (2006) "constitutes of one of the most important, yet one of the least extensively researched factors of international migration" (p. vii). It is, therefore, crucial to apply the human insecurity framework to different examples of population movements. This assignment of different examples to different population movements would not only shed new light on scholars' research topics, but would also allow for the development of the overall concept based on feedback from empirical research.

Sirkeci (2005) conceptualises the environment of insecurity as 'a set of push factors' (p. 201), and divides it into two interrelated components: 'material insecurity' and 'non-material insecurity' (2006, p.19). As İçduygu et al. (1999) state:

Material insecurity is measured by the relative amount of and secure access to the following: income, material possessions, education, health, state services and life itself. Non-material insecurity is roughly divided into the categories of language, culture (identity) and belonging (the opposite of alienation). (p.992)

Actors respond to material and non-material insecurity by seeking an environment of relative security “that provides a better life compared to life at the origin but often a less favourable position compared to the natives of the destination countries” (Sirkeci, 2007, p. 40). Although the environment of insecurity appears to provide ‘an opportunity framework which is utilised by potential migrants,’ it is not necessarily utilised ‘by those [in] greatest danger’ (Sirkeci, 2005, p. 201). In essence, migrants leave environments of relative insecurity to reach environments of relative security; however, those who manage to migrate are not always those who are the most vulnerable. Although such migrants might not be in a more favourable position than they were before, they are content in knowing that they are better off than those who were unable to immigrate.

Turkish Immigrants in London

Turkish immigrants in London have drawn relatively minimal scholarly attention in comparison to other Turkish immigrants throughout Europe. Erdemir and Vasta (2007), in their study on Turkish work strategies, networks, and solidarity in London, present the most up-to-date information on this population. As they argue “London’s Turkish immigrants consist of a rather diverse group of people where categorisation is not co-terminus with ethnicity or nationality” (Erdemir & Vasta, 2007, p. 6) and they, therefore, pose a difficulty in terms of whom to count and how they should be counted. While the Turkish Embassy declares that there are 150,000 Turkish immigrants in the UK, the Home Office states that 47,000 Turkish nationals were granted British citizenship between 1984 and 2005 and that 36,000 Turkish nationals applied for asylum in the UK between 1986 and 2006. According to the 2001 census, there were 39,000 ‘people born in Turkey’ who were living in greater London, and experts estimate that between 20,000 and 35,000 ‘Turkish speakers’ reside in the borough of Hackney alone (Erdemir & Vasta, 2007, pp. 6-8).

The data on Turkish immigrants in London that was used in this study was collected through a rapid assessment study carried out during four visits between 2004 and 2007. In addition to participant observation, in-depth interviews were carried out with twenty Turkish immigrants.¹ The communities targeted were those which arrived in London within the last two decades at the time of the interviews. They happened to be residing predominantly in the boroughs of Haringey and Hackney. The largest and most influential populations were discovered to be the Kurdish Alevi from Kahramanmaraş and Turkish Sunnis from Gümüşhane. Both of these groups were of rural and lower class backgrounds. While the former experienced political and religious persecution in Turkey and advocated leftist politics, the latter only experienced economic hardships and they were generally right-wing (see Table 1).

	Group I	Group II
Place of Origin	Kahramanmaraş (Pazarlık & Elbistan)	Gümüşhane (Ünlüpinar)
Background	Rural	Rural
Language	Kurmanji	Turkish
Self Identification	Kurdish	Turkish
Class Position	Lower class	Lower class
Religion	Alevi	Sunni
Political Orientation	Left-wing	Right-wing
Main Push Factor	Experienced political and religious persecution, and economic hardship	Experienced economic hardships, but no experience of political or religious persecution

Table 1. Immigrant communities in London

¹ The authors would like to acknowledge the research assistance of Cemre Erciyes, Özgür Bal-Uzun, and Görkem Dağdelen, and thank Middle East Technical University's Graduate School of Social Sciences for the generous funding which made this research possible.

The research showed that both of these communities were trying to escape an environment of insecurity in Turkey. While non-material insecurity (religious, ethnic, and political identity) has played as big a role as material insecurity for the Kurdish Alevis, Turkish Sunnis were mostly responding to material insecurity (rural poverty). Kurdish Alevis not only experienced various pogroms and attacks at the hands of Sunni conservatives, but were also victimised during the clashes between state forces and the PKK. Their economic deprivation was further exacerbated by political instabilities. As for the Turkish Sunnis, the main problem they faced was the lack of economic and educational opportunities back home. Overall, both groups were in search of relative security, material, and non-material, which they had hoped London would offer. The widely publicised political instability in Turkey during the late 1980s and early 1990s was used as an opportunity framework to carry out individual and family migration projects in both cases. Most immigrants arrived in London as asylum seekers following their compatriots. Turkish Sunnis were particularly resourceful and creative in utilising opportunity frameworks, and quite a number of them applied for political asylum under the false pretences of being Kurds, Alevis, or leftists.

When our field research was conducted in mid-2000s, many of the Kurdish Alevis and Turkish Sunnis were quite well established in London. They had successfully launched businesses, established community organisations, acquired property, and elected representatives to local councils. Many other immigrant groups, particularly latecomers, perceived both of these groups often as a single entity, i.e. successful Turkish citizens who made it in London, and were, therefore, envious.

In looking at the cases of these populations in London, it is important to ask whether what appears to be a success story, or a relative environment of security, from the outside, is perceived unequivocally by insiders in a similar fashion. To address this issue, we turn to the field-notes of Besim Can Zirh, who presents the case of an interviewee in detail. This Kurdish Alevi's life history, we believe, illustrates the predicaments that are often overlooked when judging the level of human security that Turkish immigrants are assumed to have access to in London.

Besim Can Zirh's Field-notes

I met Ali ² at a Turkish migrant organisation based in London. He spontaneously came up to me and started asking questions about his new mobile phone. The questions ranged from "how can I check my balance?" to "how can I take a photo?" His nickname in my field notes was "the man with a handy" since I only learned his name two weeks after we had first met. As our friendship deepened, his questions and requests became diversified and more complicated. Technical questions were replaced with translation requests. Although I made sure to mention each time that I had no idea about the legal system in the UK, he continued to come to me on the grounds that he and his wife were 'alone' and did not know anyone in London. In the beginning, this seemed difficult to believe, since the couple had been living in the city for eighteen years.

Every time we ran into each other, he would bring me a new document, a letter, or a bill from one of the many British institutions. I gradually became close to him and his life; not only his contemporary life, but also his past and future. That is when I realised why he had been insisting on creating a relationship with me, a perfect stranger. He did not want anyone else, particularly those who had known him for a long time, to know the intimate details of his life.

Ali is a 75 year-old man from Tunceli, or Dersim, as he preferred to call the city. He is a naturalised refugee living in London. As one of the early asylum seekers, his status in the UK was secured shortly after his arrival 18 years ago. But this security through naturalisation was not the beginning of his story. It may very well be the last chapter before the conclusion.

In 1938, when Ali was 5 years old he and his family, together with thousands of others, were expelled from Dersim/Tunceli in accordance with the Tunceli Act. People from his region, Ovacık, were first sent to another Eastern Anatolian province under the supervision of the military. His family was then re-located to a small village in Western Anatolia. Ali went to school in this small village and the first thing he needed to learn was the Turkish language. Although today he is an old man, his memories about those days are still very vivid. He, for instance, clearly remembers how the native inhabitants of the village used to watch their way of life closely for a long time. In his opinion, their curiosity was justified, particularly if one takes into consideration the peculiar daybreak ritual of his grandfather of saluting the sun. His father's return with military escort soon after he went to the nearest city, where their relatives used to live, is another vivid memory. His father actually went there to look for a job but his absence from the village was discovered right away. Ali's long and painful journey to a village in the west of Turkey is the first memory he has of moving and the accompanying sense of insecurity.

In 1950, Ali's family was allowed to return to their village in Dersim which came to be known as Tunceli. The act that exiled them from the region not only changed the name of his province but also the name of his village. The first sight of the village, or what remained after a decade without any inhabitants, hardly matched the descriptions Ali had earlier heard from his grand-father during their years of exile. As other former inhabitants of the village started to return to the village, Ali was reintroduced to his uncle, aunt, and his cousins whom he had never met before. In the midst of this re-unification, memories were reconstructed alongside the rebuilding of the houses and the re-cultivation of the fields. Although the absence of those elders who could not make it back home was received with silence, the failure of others to return aroused curiosity. Soon, news from cities from all around Turkey reached the village. The returnees learned that others were well-integrated into the newly flourishing urban life, which provided them with plenty of opportunities. After a while, these city-dwellers started visiting their former village; and their dress and manners encouraged the returnees to join the march towards the cities. Ali remembers many people who chose to escape from the barrenness of the village. The main source of insecurity, then, was poverty.

In the 1960s, a new kind of security threat, in addition to that of poverty, came to afflict those who preferred to stay in the village. Following the political polarisation of the period, Tunceli began to be dominated by various leftist groups, many of which did not hesitate to take up arms against the government. Long before the state forcefully penetrated the region, the power struggle and political competition between leftist factions began to disturb the local way of life. As Ali says "what could have we given them except food and our sons?"

After some years, when Ali was faced with the responsibilities of being a husband to his new wife Gül, he decided to move to Erzincan, a nearby city which was relatively secure. His family attempted to establish a new life there. Ali also got involved in local politics. As a member of the Alevi religious community, the Republican People's Party (CHP) was pretty much the only option for him. His identity as Alevi and his political preference as leftist became other sources of insecurity in the years to come.

At the beginning of 1970s, Ali decided to try his chances abroad. He spent four years in Germany as a Gastarbeiter. Although he was happy to be able to send money to Turkey on a regular basis in order to keep his children in school, he was sorry for not having a chance to visit his family during those years. Following his years in Germany he returned to Turkey to start a business with the money he had been able to save. When I asked why he had not settled in Germany the way many other Turkish immigrants had chosen to, he said "I did not like Germany. I thought that we would not be comfortable there." Ali's various business attempts in Turkey failed, destroying his savings. Meanwhile, political tensions intensified in Turkey. In brief, economic and political insecurity became unbearable for him by the end of the 1970s.

Surprisingly, the 1980 coup d'état in Turkey brought relative security to Ali. He was just a moderate member of the CHP involved solely at the local level. Moreover, he was skilful in dissimulation and did not let many know of his Alevi identity. As a matter of fact, Ali was one of those Alevis who was at first hopeful that the military government would bring an end to the kinds of persecution that Alevis had experienced during the end of the 1970s. The National Security Council, consisting of five generals who monopolised political power in the country, was believed to have an Alevi member.

Ali's hopes, however, did not come to realisation. On the one hand there was the neo-liberal restructuring of Turkey during the 1980s. On the other hand, the growing power of PKK in the midst of the coup heightened economic and political insecurity for those who were living in the margins Turkish society. During this period, Tunceli became a stage for clashes not only between state and various armed groups, but also among those groups. Ali describes the process as the replacement of 'chivalrous student revolutionaries' with 'hierarchically organised and heavily armed guerrillas.' He remembers how newly emerging groups infiltrated and expelled other marginalised groups from the region by recourse to executions, if necessary. Although Ali was not living there at the time, he was very well connected to the region by extensive kinship ties. It was during this time that his village lost its inhabitants once again. Many of his relatives emigrated by following the footsteps of their Gastarbeiter relatives, but this time mostly as asylum seekers.

As refugee flows became massive, many conventional routes became unavailable. In 1989, Ali received an international phone call from London. The caller, a distant relative, urged him to come to London. He heard that the British government was planning on imposing visa restrictions on Turkish citizens. So Ali did not have much time left if he wanted to escape the economic and political insecurity which was prevalent in Turkey. Ali evaluated his family's options. His daughter, Fatma, had moved to Stuttgart, Germany after marrying a distant cousin. His son, Hasan, with an associate degree from a vocational school was very excited about the possibilities of moving to London and pursuing further university education. Both Ali and his wife were quite tired of trying to make a living and London provided them with the possibility of a good retirement. They knew that living in London was quite different from living in Erzincan. The British government would provide them with a weekly allowance, a furnished flat, and would pay for their medical bills, all of which would be unthinkable in Erzincan. The only catch was that they needed a story, a convincing story, to show how insecure they were back in Turkey.

Ali, together with his wife and son, arranged their travel to the United Kingdom three months before the visa restriction was imposed. He chose to sit in the non-smoking section of the airplane since he did not like to smoke, while all other prospective asylum seekers from Turkey preferred to sit in smoking seats as a group. When the plane landed at Heathrow, it was not difficult for officials to identify the asylum seekers. They were all taken into custody except for Ali and his family. He came to thank himself for not smoking on that day. Sitting among the non-smoking 'British' made them invisible. They simply left the plane, passed the border, and met with a lawyer arranged by an association established by political refugees from Turkey.

Once in London, however, not all their expectations were fulfilled. They were first taken to a community centre where many other asylum seekers were also accommodated. This was the legendary three months right before the imposition of visa restrictions during which 5,000 Turkish citizens came to London as asylum seekers. They all needed to sleep in a ward-like hall until their application was processed. Ali's family was lucky. Unlike many others who had to wait for several years, they received refugee status within three months. When I asked the reason for this accelerated process, Ali said it was because he and his family managed to not 'look too excited.' They simply told their story, answered the officials' questions, and watched as all their conversations were translated into English.

The years they spent in the United Kingdom did not turn out to be all positive. Hasan, for example, was unable to enrol in a master's programme. He, nevertheless, did well as far as Ali was concerned. He not only established a legitimate business, but also saved quite a lot of money. In this period, the main concerns the family had were about stiffening rules and regulations about immigration, hardening economic life and competition, and the growing influence of clandestine networks. These networks, which emerged in the mid-1990s did not appear much in academic studies but nevertheless had a devastating impact on many people's lives. For instance, Ali remembers that a meeting was announced following the arrival of a powerful guy to London. Organisers especially invited immigrants from Tunceli. When Ali asked for the reason, he was told that this new guy in town was "going to make people from Tunceli kirve (a type of fictive kin)³ to people from Diyarbakır." After this meeting, Ali recalls, many people went behind the bar. This was the beginning of a period in which no one could trust or depend on another.

Whenever Ali needs my help in applying for something or writing a petition, he insists that I add a sentence which states that his "records are very clear." Gül earnestly keeps saying "tell them to look at our records, they cannot find anything. We are just law abiding people with nothing to hide." At first, this expression was quite meaningless to me. However, I soon realised that this was the understanding they had of the British bureaucracy machine in which everything is very complicated and connected to each other. An individual's reference number explains everything. If you need to benefit from certain funds and credits, these numbers must demonstrate that you are a law abiding citizen.

Today, after all these years, Ali and his wife Gül hardly remember their journey to London fondly. When I asked for a proper interview with a recorder, Ali kindly refused my request perceiving what I do as journalism, and said "I do not want to take part in such things." But, right after his refusal, he told a story about a couple he seemingly knows well. He said, "I know a couple from our village. They came here quite a long time ago. When they arrived in this country they had nothing but health. Now they have nothing but illness. From raindrops to hailstones! That is the summary of the whole story." For me, however, this is not the end of their story.

Ali and Gül are currently struggling with various housing and financial problems. They were asked to vacate the single room emergency housing, which they call a 'hotel,' within a month. Their pension credit was recently also cut off. This was the 'punishment' they received for staying out of England for longer than their status allows, that is, five weeks per year. When asked why they took such a risk, they told me that they needed to stay with their daughter in Germany at the time when their son returned to Turkey. This answer was more complicated than the original question. Why did Hasan return to Turkey? Why were they not able to stay in London? What were they going to do in this city without any help from their children?

Apparently, after spending fifteen years in London, Hasan decided to return to Turkey. Hardening economic life in London was one of the reasons for his decision. He thought that he had saved enough money and that he could not make any more money in London. A Mediterranean city in Turkey would be a good place for a man with adequate capital. Another, and apparently much more important, reason is Can, Hasan's 19 year old son. Raising children in London has become a nightmare for Turkish immigrant families. In addition to the risks associated with their children being socialised as highly individualised and even 'ahlaksız' (immoral) British youth, parents believe that the environment and education they can afford is not secure enough. "Çocuğumu kaybetmek istemiyorum" (I do not want to lose my child) is one of the most repeated expressions that I came across during my field research. In Ali's opinion, Hasan withdrew his own son from schools in London because of the risks associated with being educated in London.

3 Kirve, similar to a godfather, is the man who takes care of the circumcision boy and the circumcision feast. Kirvelik is the establishment of fictive kin relations between the family of the circumcision boy and the family of the kirve.

Just after Hasan left London at the beginning of the summer of 2007, the phenomenon of ‘male adolescent suicide’ among Turkish immigrants made it into newspaper headlines. Over the last eight months nine male adolescents committed suicide, deeply traumatising Turkish parents and heightening their feelings of insecurity. At the funeral of one of these individuals, Ali came up to me and said “how rightful Hasan was. He could foresee that living here was getting dangerous for the youngsters.” In Ali’s opinion, Hasan saved his son by immigrating to Turkey, just as Ali had saved Hasan many years ago by emigrating from Turkey. Nowadays, Hasan’s son Can is preparing for the university entrance examination in Turkey. As a British citizen, Can has a right to take the university entrance exam called YÖS (Examination for Foreigners) which is believed to be easier than the examination for Turkish students. In addition, since Can aims to attend the department of English Language Education, it should be quite easy for someone like him who is fluent in English. In this sense, returning to Turkey provides a great opportunity for Can to pursue higher education. Nowadays, the only thing that concerns Can’s grandmother is his new girlfriend.

Following Hasan’s return to Turkey, Ali and Gül’s life in London became much more difficult. “We do not have anybody here to take care of us” is one of their most repeated expressions. When I tried to understand their future plan, I learned that they have been trying to transfer their status and rights from the UK to Germany. But they also told me that “this bloody British system does not let us go, because they receive money from the United Nations for having us here.” They cannot just return to Turkey as they wished because such a move automatically means the end of their benefits, which is the only thing that provides them with any security these days. If their application is accepted, they plan to move to Germany where their daughter Fatma lives. Fatma, however, is also unhappy with her husband and is also planning to return to Turkey.

From grandfather to grandson, the long journey of Ali is difficult to understand simply as migration. This journey connects five generations on the move from one place to another. It is actually a series of moves between material and non-material environments of insecurity and security (see Table 2).

1938:Tunceli	→	Western Turkey
1950s:Western Turkey	→	Tunceli
1960s:Tunceli	→	Erzincan
1970s:Erzincan	→	Germany
1980s:Germany	→	Erzincan
1989:Erzincan	→	London
2007:London	→	Stuttgart → London
2008:London	→	?s

Table 2: Ali’s migration history

Conclusion

Ali’s story demonstrates that migration is not simply a one-way trip from human insecurity to relative human security. On the one hand, human beings constantly try to avoid environments of material and non-material insecurity, and on the other, they continuously seek relative security. This process seems to be based on a constant assessment and reassessment of the level of relative (in)security of one’s current location vis-à-vis other potential destinations. As individuals, families, and communities make strategic decisions concerning their migration projects, they not only have to

work with imperfect information but also with changing (in)security levels of potential destinations. What one assumes to be a desirable migration destination can turn out to be a great disappointment (Vasta & Erdemir, 2006). Alternatively, a desirable destination can turn into an undesirable one as conditions, rights, and provisions deteriorate over time. In short, an environment of relative security can turn out to be or turn into another environment of insecurity. It is also possible that the change has less to do with the objective conditions of the destination and more to do with immigrants' subjective perceptions. Immigrants, for example, might begin to raise their expectations over time. They might no longer be satisfied simply by the relative deprivation of their compatriots back home, and begin to resent their unfavourable position compared to the natives in their host countries. It could even be the case that those who choose to migrate may become relatively deprived vis-à-vis those who remained back home. All these factors have the potential to influence the migrants' subjective assessment of their relative human (in)security in their destination country. It, therefore, seems that the coping needs of 'security seeking human agency' never end. People act in resourceful ways as they encounter environments of insecurity and perceive them as opportunities which can be utilised.

Ali's story, it seems, challenges Eurocentric assumptions about migration. It clearly demonstrates that migration projects of security-seeking individuals, families, and groups are not just one-way journeys from the Rest to the West. Instead, people move in all kinds of directions as they assess and reassess the relative (in)security of destinations. In their constant strategising, the state security based concerns, discourses, and policies of regulatory agencies appear to be yet another variable in a long list of factors which to-be migrants take into account as they evaluate their prospects of relative prosperity in destination countries before moving abroad. It seems, from looking at individual experiences, that immigrants can find themselves moving from raindrops to either hailstorms or sunny skies.

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**Experience of the European Union in Realization of Security
Issues and Human Rights Challenges of Central Asian Countries**

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Central Asia has a centuries-old tradition of bringing Europe and Asia together. It lies at a strategically important intersection between the two continents. The Central Asian States have known considerable evolution in political and economic transformation since attaining independence. They have established statehood, safeguarded multi-ethnic understanding and inter-religious communication.

At the beginning of the 21st century, the time has come for a new partnership between the EU and Central Asian States in a globalised world. The common goal of achieving stability and prosperity by means of peaceful inter-action makes Europe and Central Asia partners for increased cooperation. The strong EU commitment towards its Eastern neighbours within the framework of the European Neighbourhood Policy will also bring Europe and Central Asia closer to each other, both in terms of political cooperation and economic development. The development and consolidation of stable, just and open societies, adhering to international norms, is essential to bring the partnership between the European Union and Central Asian States to full fruition. Good governance, the rule of law, process of migration, human rights, security issues, education and training are key areas where the EU is willing to share experience and expertise. Except for that, the EU can offer experience in regional integration leading to political stability. Lessons learnt from the political and economic transformation of Central and Eastern Europe can also be offered. Thus, with their rich traditions and centuries-old exchanges, the EU and Central Asia can contribute actively to the dialogue between civilisations.

Many challenges facing the globalised world affect Europe and Central Asia alike, and warrant a common response. Security questions and regional development in different spheres require close cooperation of the EU with each Central Asian state, taking into account their geographical location, in particular with respect to Afghanistan, Pakistan and Iran. This applies to developments in the areas of border management, migration, the fight against organised crime and international terrorism, as well as human, drugs, and arms trafficking. Through Strategy for a new partnership the EU and Central Asia and the Commission's assistance programme for the period of 2007-2013, the EU defines the priorities for its cooperation with each Central Asian state according to its specific needs, requirements and performance (Council of the European Union, 2007).

The aim of the EU Strategy is therefore to actively cooperate with the Central Asian States in reaching common goals as well as to contribute to safeguarding peace and prosperity in neighbouring countries.

The Strategy builds on the progress, which the Central Asian States have themselves made since attaining independence. It takes account of their common aspects as well as specific national contexts and requirements. It also builds on the results obtained under the implementation of the various Partnership and Cooperation Agreements, EU assistance programmes and other initiatives taken by the EU to support the states of Central Asia.

As European and Central Asian experts marks, the Strategy is based upon common interests of the EU and the states of Central Asia. To align expectations of Central Asian partners with those of the EU will be a mutually beneficial and reinforcing process.

In order to intensify cooperation with Central Asian States, the EU uses of the potential of Partnership and Cooperation Agreements, Commission and Member States programmes, cooperation frameworks such as the Baku Initiative and political dialogue, using the variety instruments of Common Foreign policy and a policy of security. In addition, the EU seeks to put into place, together with Central Asian States, new forms of cooperation, such as a regular bilateral human rights dialogue. The EU is prepared to enter into an open and constructive dialogue with regional organisations in Central Asia and to establish regular contacts with EURASEC, SCO, CICA, CSTO, CAREC, and CARICC.

In the context of the above priorities, now, the EU and the Central Asian States will also give more attention to related issues combating common threats and challenges.

Migration is one of the major global challenges of the 21st century, which closely connected with human rights and security issues. The impact of migration, both positive and negative, can be felt in all countries, including in Central Asia. The EU seeks to enhance dialogue and cooperation on migration with regions of transit, origin, and destination through the EU's Global Approach to Migration (European Union, 2007). As part of the Global Approach, the EU proposes to launch a close dialogue on migration with the eastern and south-eastern neighbouring regions. Also the EU strengthens its support for the development of modern border management in the region of Central Asia, including the borders with Afghanistan.

Through Program of Border management in Central Asia (BOMCA), the EU will seek a multilateral and regional approach. The EU will broaden BOMCA activities and seek synergy with projects under implementation to reform customs services. It will seek better coordination and explore possibilities of close cooperation between BOMCA, the OSCE and other border projects from Member States of the EU and the Central Asia countries.

Another programme in the field of cooperation on migration, EU/TACIS is implementing a programme on Enhancing Immigration Inspection and Border Kazakhstan and Central Asia. One of the objective of the project is to strengthen achieving migration, management capacities, immigration inspection and border control in Kazakhstan and Central Asia and thus to contribute to combating irregular migration, trafficking in human beings and drug trafficking (IOM, 2005). Through this part of the project, TACIS will conduct an overall threat/risk assessment for border policy making, develop terms of reference for a border data system, implement anti-corruption campaign and identify training purposes, institutionalise training via establishing and equipping a focal training centre and developing a training curriculum and conducting of training. Training, study visits, technical training of the staff of the relevant border and immigration services is a significant component of the project. This activity will have the following main directions: regional fraudulent training course for the border services and immigration control (migration police) agencies from all five countries of Central Asia, study visit for the border services and immigration control (migration police) agencies of the Central Asian countries to one of the project sites, i.e. one of the checkpoints on Kazakh/Kyrgyz border to familiarise the participants with the cooperation between the governments of the region and to evaluate the result of different approaches and different experiences in the organisation of immigration inspection and border control, support of the Military Academy of Kazakhstan (formerly Almaty Border Guards College) which has a faculty on border control and trains the future officers of the Border Service of Kazakhstan by providing teaching materials and equipment, classroom furniture, publications, and lectures by TACIS experts to ensure efficient educational process of future border control specialists (Federal Foreign Office).

These regional programmes are important instrument in cooperation will allow adjusting not only questions of borders, but also migratory processes and security issues in Central Asia and the EU regions.

In this connection, it will be necessary continue to introduce the basic principles of integrated border management in border guard services and other relevant services, work on specific border crossing points, provide organisational assistance to support transformation of border guards from a conscript to a professional service, support transition from a purely military system to a more police-style law enforcement agency and to efforts to strengthen control mechanisms. It will be help update the legal framework in accordance with international law in the field of combating organised crime

(e.g. UN Convention against Transnational Organized Crime and its Protocols) with a focus on illegal migration, trafficking in human beings, preventing and countering drugs and precursors trafficking; improve institutional capacity of law enforcement agencies and strengthen regional cooperation in security issues.

At the same time, it is necessary to note, the EU can offer its assistance to experience the interested Central Asian States, both at national and at regional level, to manage migration in a more balanced manner, which implies setting up well functioning systems to match labour demand and supply facilitating integration of legal migrants and providing international protection of human rights to asylum seekers and refugees and other vulnerable persons.

The Ferghana Valley best embodies the challenges of security of Central Asia, connected with migration and other threats. Special attention will be dedicated to programmes, which address questions of border management, human rights and free movement of goods and persons.

Thus, this EU Strategy for Central Asia serves as an overall framework for the EU policy in realisation of security issues and human rights challenges in the region of Central Asia. As European expert's marks, the EU sees a mutual interest in sustained dialogue and cooperation with the Central Asian States respecting their differences and fostering closer cooperation among them on regional issues (Federal Foreign Office, 2007).

The EC's 2007-2013 Assistance Strategy for Central Asia is conceived as a tool to support strengthening of political dialogue with the Central Asian States at regional and national level and to pursue the objectives defined above.

In these domains, the alignment of regional cooperation priorities and programmes for Central Asia with the regional strategy for EU Eastern neighbours lies at the heart of future assistance policy. Closely linking the focus of EU regional cooperation with Central Asia with that of the ENPI regional programmes will enable Central Asian countries to receive experience in management of the migratory policy, security and human rights issues (Human Rights Watch).

Distribution of closer contacts between the EU and the Central Asian States, and expanding areas in security, migration and human rights are very important alongside with the development of cooperation in political, social and economical, military spheres. The EU in its turn accumulated positive experience in dealing with political and socio-economic issues, migratory policy, human rights challenges and etc. This experience may represent not only scientific interest, but also practical significance for all the Central Asian States. It will be useful for the Central Asian States, as well as to get acquainted with experience of the EU to find common solutions to our common problems. It has become more imperative to talk about cooperation are beneficial to the developments in both regions.

In the modern world, co-operation between partners in a region as well as co-operation between regions such as the EU and Central Asia is a basic requirement, not more idealism. We are still laying the foundations required for that co-operation to reach its full potential - but if those foundations are solid, we can build great things together. We hope that strategy of regional cooperation will give clearer directions in studying the Central Asian dialogue with the EU at the present period and give a purposeful impulse to further deepening of relations between regions.

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Migration between Central Asia and the European Union: Problems and Perspectives

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Migration through Central Asia to the European Union

There are two large migratory systems operating in Eurasia: the European system, the core of which is the European Union countries, and the Eurasian system, which includes the area of the former USSR (Kritz, Lean Lim & Zlotnik, 1992; Ivakhnyuk, 2003). Today, the potential for cooperation between these two systems will be addressed.

Since the second half of the twentieth century, Western Europe has been a major centre of immigration, a reality that often generates pointed social, economic, cultural, and sometimes political problems. In 1990s, after the fall of the “Iron Curtain” and the collapse of the USSR, borders were opened (Sengupta, 2002) and new conditions for migration to Europe were created. The flow of emigrants from the countries of Central and South-eastern Europe, and also from the former USSR, began to enlarge the populations of Western Europe.

In 2005, immigrants made up 8.8% of the population of Europe. The ratio of immigrants to non-immigrant nationals was 11.9% in Western Europe, 9.3% in Northern Europe, 7.5% in Eastern Europe and 7.2% in Southern Europe (United Nations, 2006a, 2006b).

The European Union cannot ignore the flow of migration from the Eurasian system. According to several international organisations, of the 172 million migrants in the world, 8-10 million are from Russia, and 12.5 million are from the CIS countries (Pertsev, 2008).

There are a few legal channels of migration between the two systems, including labour migration for trade, business, or work; repatriation; mixed (polytechnic) marriage; etc. (UNHCR, 2000; Mendikulova, 2000, 2004, 2005, 2006).

1. Repatriation to EU Countries from Central Asia

At the beginning of the 1990s, repatriation was the most common migratory trend from Central Asia, as well as from all the territories of the former Soviet Union. It is estimated that in the first years of independence, almost 2 million people left Kazakhstan in search of a different life, including more than a million ethnic Russians and other Slavs, as well as almost 600,000 ethnic Germans, 50,000 Greeks and many others. More generally, 4.5 million people have left the Central Asian region since the fall of the Soviet Union.

Socio-economically, psychologically and culturally, integration into a new society is always difficult. Because Westerners have a different mentality and the West is an untraditional cultural environment, it can be very difficult for Central Asian immigrants to adjust to Western countries, which explains why many emigrants often return to (re-emigrate to) Central Asia after having lived in Europe. Between the years 1989-2007, more than 300,000 re-emigrants returned to Kazakhstan from Germany, Russia, Ukraine and other countries (Mendikulova, 2000; Population, 2000; Migration 2001-2002: Demographical Annual Report, 2005).

2. Brain-Drain

In Central Asia, a ‘brain-drain’ phenomenon began in the early 1990s when low incomes, little demand, and poor job prospects ‘pushed’ scientists and students to move to foreign, recipient countries for work (Katagotsina, 1996). Immigrating to the EU, these highly-qualified immigrants found not only a higher standard of living but also more respect for being experts. Their integration was relatively smooth, although they had some language problems and difficulties with the new, untraditional cultural environment (Blagov, 2000).

Since the early 1990s, approximately 30,000 Central Asian scientists have immigrated abroad to work. More attention should be focused on the labour emigration of scientists as one channel of brain-drain.

3. Illegal Migration

Today, special attention should be given to questions related to illegal migration (IOM, 2002; Demographical Annual Report, 2005; Mendikulova, 2007, 2007a) since this issue is of utmost importance for both systems.

The main channels of the Eurasian migratory system from Central Asia to the EU pass through the Russian Federation, Ukraine and Belorussia. Kazakhstan and Uzbekistan are the largest 'sending countries' of migrants to Russia, the Caucasus, Ukraine and Belorussia, and through them to the EU. Kyrgyzstan and Tajikistan also send migrants to Russia, but their numbers are not as substantial.

Unfortunately, these migration channels are also often transit channels for transnational criminal operations, including illegal drug trafficking; illegal migration and human trafficking; and illegal arms trafficking, moving from Eurasian countries to the EU, as well as in the opposite direction.

It is well-established that illegal migration consists of four important component actions:

1. Illegal entry into a country;
2. Illegal residence in a country;
3. Illegal employment;
4. Illegal departure (exit) to another country that threatens the national security of any state (IOM, 2002, p.38).

After the collapse of the USSR, a channel was created for transporting illegal migrants from southern and eastern Asia (Afghanistan, Bangladesh, India, Iran, China, Pakistan, Sri Lanka, etc.) and even from Africa first to China, Kyrgyzstan and Uzbekistan, then to Russia, and then, finally, to the countries of the EU.

Human trafficking is a well-organised, transnational criminal business that can skilfully manage local conditions. The use of multiple reloading points is the most common method for human traffickers to penetrate borders and facilitate illegal migration. For example, illegal migrants depart from Sri Lanka to the United Arab Emirates, then to Kyrgyzstan and then further to Kazakhstan, where they transit to Russia and then to EU countries.

Last year, three Pakistani citizens who illegally crossed the Kazakhstan border with the intention of going on to Europe were detained by migratory police in Almaty. During their investigation, the police found out that Italy was their ultimate destination.

Most illegal immigrants in Kazakhstan (80%) come from Kyrgyzstan. According to data from the State Office of the Public Prosecutor in Kazakhstan, illegal migration is increasing every year. The Public Prosecutor warned that the illegal migrants' uncontrolled arrival could negatively affect the internal stability of Kazakhstan, and that it could become a cause of social tension (Kazakhstan Today, January 25, 2008).

Under these circumstances, how can Kazakhstan address its problems with illegal migration?

4. Steps in Kazakhstan

In the summer of 2006, a state action aimed at the legalisation of illegal labour migrants began in Kazakhstan, and this RK legal action is still ongoing under the heading "About amnesty in connection with legalisation of illegal labour immigrants." To this date, more than 300,000 labour migrants have been legalized in Kazakhstan, including 160,148 citizens of Uzbekistan, 25,560 citizens of Kyrgyzstan, 11,218 citizens of Russia, and 4,939 citizens of Tajikistan among them.

According to the Ministry of Internal Affairs RK, the highest number of immigrants is legalised in the city of Almaty and in the Almaty and Mangystau oblasts in southern Kazakhstan (Mendikulova, 2007a).

We should not forget that there are positive sides to migration as well. For 'pushing' countries there is:

1. a decrease in the unemployment level;
2. an increase in money flow because migrant workers send money to their families and relatives;
3. the formation of a national lobby in the accepting country which acts in favour of the 'pushing' country; and
4. the support of this or that conflicting side (sometimes).

As for the 'pulling' countries, positives effects of migration include added demographic resources and a decrease in the workforce deficit.

Studying migration is necessary from both a scientific and a practical point of view. At this point, I would like to note that at the Institute of Oriental Studies, Ministry of Education and Science, RK has carried out intensive research on the multi-faceted problem of migration in the Central Asian region. Within the framework of this research, we began the project "Influence of Migrations on the Development of the Central Asian Region: Historical Aspect and Integration Prospects in XX-XXI Centuries" in 2006.

It is thought that, through the joint efforts of scientists, practitioners in the Central Asian region, and international organisations, the problems connected to illegal migration can be solved, and the threats to national and regional security can be minimised.

5. The Drug Industry

In the region of Central Asia, the fights against drug trafficking and illegal migration have been the two major concerns.

Most of the opiates from Afghanistan which are transported to the EU (which is the market with the largest purchasing capacity) arrive via the Balkans route, which crosses Iran, Turkey and the Balkan countries. Only 20-30% of Afghan opiates pass through Central Asia by the Northern or 'Silk' Route. Heroin from Afghanistan goes through Russia, Ukraine, Belarus, the Baltic countries, Germany, Belgium and Holland. Conversely, ecstasy, LSD, cocaine and psychotropic substances are imported to Central Asia from Europe (Gubaidulin, 2008).

Table 1. Some of the Channels by which Heroin is transported from Afghanistan to the EU, via Central Asia:

→ Afghanistan Buzin
→ Tajikistan Vanch, Djirgatal
→ Kyrgyzstan Sarytash, Uzgen, Dzhahal-Abad, Toktogul, Karabalty, Bishkek
→ Kazakhstan Georgievka, Almaty
→ Russia - Poland - Germany - Holland - the UK...

According to the World Trade Organization, there are 35 large channels of drug traffic from Afghanistan, some of which pass through Kazakhstan (Gubaidulin, 2008). Different branches of the route go through the Afghan-Uzbek border and Kazakhstan: Termez – Karshi – Bukhara – Urgench – Nukus – Ustyurt, a plateau in Kazakhstan – Russia (Golunov, 2005, p. 192). Another route goes through the Turkmen-Afghani border to Kazakhstan or Azerbaijan, then either to Russia or Turkey.

Problems, Their Solutions and Perspectives

Now, possible solutions to these problems will be considered, and additional perspectives will be offered.

Today, world migration flows are huge. Political and economic instability, demographic pressure, the formation of the world labour market – all these factors mean that today legal and illegal migrants comprise more than 20% of the population in more than 50 countries of the world.

According to ILO data, in 2007 in the world workforce was about 3 billion people, or 61.7% of the working-age population. The total number of the world's unemployed was 189.9 million people in 2007, and the ILO predicts that world unemployment will grow by 5 million people in 2008. The ILO has also noted that in 2007 the rate of unemployment in the CIS countries was about 8.5%.

Official data from the beginning of January 2008 give the following figures for unemployment: 604,000 people in Kazakhstan and 71,300 people in Kyrgyzstan (CA-NEWS KZ, February 15, 2008). Because of these large numbers, the flow of both legal and illegal migration will be increased in the region.

Previously, migration problems were generally bilateral issues dealt with by two countries; now, however, migration problems have many sides and are dealt with at the regional level. The contemporary period has been characterised by the Central Asian States (including Kazakhstan), Russia, and the EU creating coordinated measures for migration policy.

The EU and the Central Asian States cooperatively focus on the prevention of illegal activities, such as corruption, money laundering, drugs, and illegal immigration.

The framework for the EU's relations with the Central Asian countries of Kazakhstan, Uzbekistan, Kyrgyzstan and Tajikistan is provided by four bilateral Partnership and Co-operation Agreements (PCAs, 2003).

The PCAs address the fight against terrorism, drug trafficking, money laundering, illegal migration, other illegal activities, asylum and readmission, as well as border control and customs and legislative cooperation.

At the regional level, the PCAs are supported by two important Tacis JLS-programmes, one concerning borders –the Border Management Initiative for Central Asia (BOMCA)– and one concerning the fight against drugs –the Central Asia Drugs Action Programme (CADAP). These initiatives include measures on money laundering and migration, and they are also linked with EU/international operational structures as part of anti-terrorist/organised crime actions. Particular attention is focused on the Afghan border (the Afghan border areas near Southern Tajikistan and Kyrgyzstan, and increasingly Turkmenistan, are considered to be the weakest points). The strengthening of law-enforcement capacity, the monitoring of border zones and other activities will gradually help to reform the Border Guards services as well as to improve cross-border relations and better regulate the flow of goods and people (Reuters, 2005).

In May 2002, the European Commission sent assessment missions to Central Asia in order to explore the possibility of Rapid Reaction Mechanism (RRM) - assistance to the region, especially in the aftermath of the Afghanistan crisis. Based on the outcomes of these missions, as well as on discussions in the United Nations Counter Terrorism Committee (CTC) and in the Organization for Security and Co-operation in Europe (OSCE), the Commission decided to allocate up to €2.5 million for a programme aimed at building the capacities of the border management services and police departments of Central Asia (IP, 2003).

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Migration and Families in Moldova - What Happens with Gender Roles?¹

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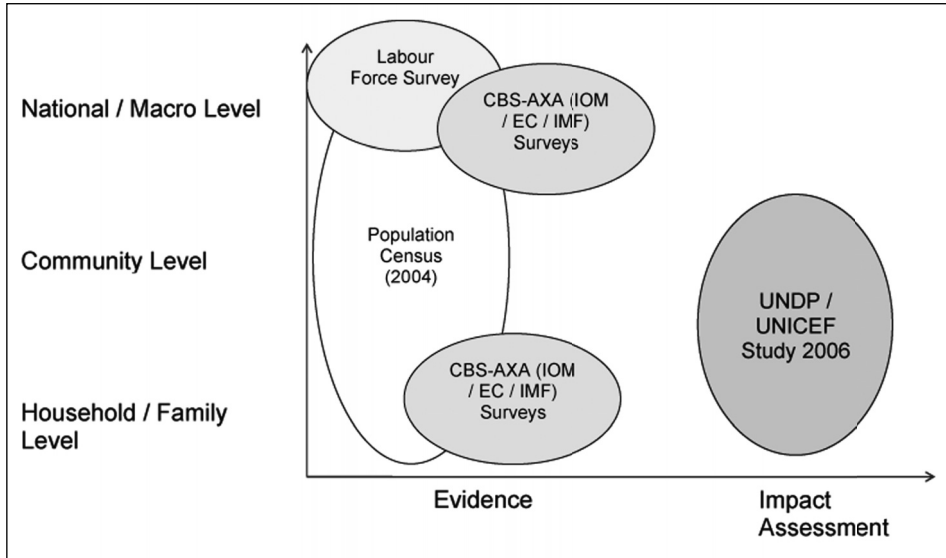
Introduction

Moldova has experienced a long and painful transition from a central planned economy to a free market economy. During the first decade of this transition, the economy contracted by two-thirds and poverty was widespread, reaching 71% in 1999. Migration outflows increased in the aftermath of the 1998 regional financial crisis. By 2006, some 350,000 Moldovan people, or 25% of the economically-active population, were estimated to be working abroad, according to data from an IOM survey. The majority of Moldovan migrants have come from district towns or villages, areas in which the poor are mostly highly-concentrated and in which migration is seen as an important poverty-coping mechanism. Since 2000, Moldova's strong growth has reversed a decade of economic decline and rising poverty. Workers' remittances have exceeded 30% of GDP and disposable income has increased, which have fuelled the rapid growth in final consumption expenditures. Between 2000 and 2006, Moldova's real GDP increased by more than 40%, to a large extent because of increased consumption and remittances from abroad. The poverty rate in Moldova has been cut by more than half as a result of labour exportation and the resulting inflow of workers' remittances.

For many years now, the positive effects of migration and remittances have been visible on a macroeconomic level; however, little if any information is available regarding the impact of migration on individual families and communities. Recently, more research has come out, reflecting the general interest in migration and remittances in Moldova. Still, most of these studies provide estimations of the number of migrants and the amount of remittances, as well some analysis of trends in migrations and patterns of remittances use on the macro level. While this research has been very important in establishing basic migration data (the number of migrants, directions of migration flows, amount of remittances and channels of transfer) and in adjusting the macro data, none of it has provided an evaluation of the impact, particularly the social impact, of migration and remittances. Most of the studies provide information on the national level, with some information on the household/family level. None of the research focuses on the community level. To fill in this information gap, UNDP and UNICEF organised a study in 2006² which focused on studying migration at the community and household levels and also focused on impact evaluation, rather than on collecting evidence data regarding the number of migrants, directions of migration, etc. The research methodology combined both qualitative data collection (through focus group discussions and in-depth interviews) and quantitative data collection (through 306 structured interviews of families with children and 68 interviews with children aged 10-18).

1 The paper is based on survey data from 300 Moldovan families with children who were surveyed in October 2006 within the framework of the study "The Impact of Migration and Remittances on Communities, Families and Children" commissioned by UNICEF Moldova, UNDP Moldova and the Government of the Republic of Moldova and supported by SU/SSC. The analysis, views, statements, and policy recommendations of the Report express the author's position and do not necessarily reflect the views of the United Nations Development Programme, its Executive Board or its Member States.

2 "The Impact of Migration and Remittances on Communities, Families and Children in Moldova," (forthcoming). The study was commissioned by UNICEF Moldova, UNDP Moldova and the Government of the Republic of Moldova and conducted by the Centre of Sociological Investigations and Marketing CBS-AXA.

Figure 1. Mapping of Migration Studies in Moldova

The Impact of Migration on Gender Roles in the Family

Understanding the gender roles within families is crucial to identifying and addressing the gender dimensions of policies, programmes, and projects. While it may seem that gender roles are constant over time, they are not necessarily so; in fact, they can change significantly in line with broader social changes, external shocks, or changes in family structures.

In Moldova (as in most other CIS countries), men are seen as “family breadwinners.” Not surprisingly, they were expected to be the first to migrate in response to the shrinking opportunities for income generation during the crisis years of the 1990s. While many men did choose to migrate, a relatively high percentage of the migrants from Moldova turned out to be women; according to data provided by the International Organization of Migration (IOM) in 2006, 42% of Moldova’s migrants were women. Migration, therefore, affects large numbers of Moldovan women and men.

Table 1. The Demographics of Migrants from Moldova, by Percentage (2006)

	All migrants	Migrants to the EU
Age (Years)		
Below 30	37%	34%
30-50	54	57
Above 50	9	9
Gender		
Female	42	59
Male	58	41
Education		
Primary	5	3
Secondary	38	31
Tertiary	36	35
University	29	19
Origin		
Rural	65	56
Urban	35	44

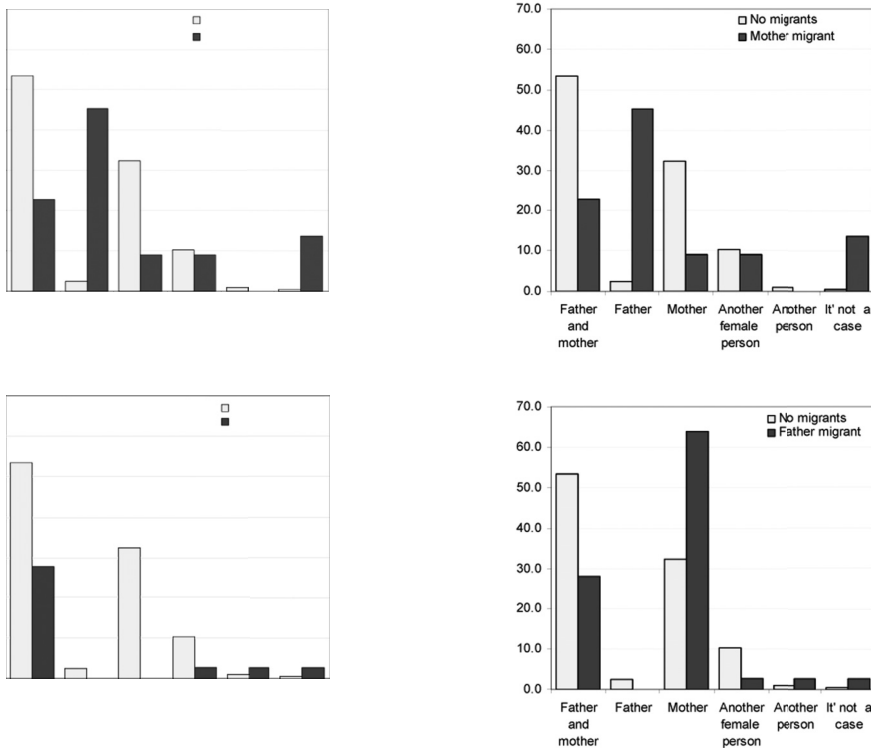
Previous research analysing the impact of migration on families (Scalabrini Migration Centre, 2003) suggests that gender roles within families are significantly influenced by migration – particularly when the migrants are mothers (the ‘keepers of hearth and home’). In the case of Moldova, this is also true: the migration of one or both parents definitely rearranges the division of labour within the family as household responsibilities are handed over by departing family members to those left behind.

For families without migrants, the survey data suggest the following characterisation of gender roles in Moldova: mothers are largely responsible for cooking and preparing meals, taking children to the doctor, helping them with schoolwork, taking care of the home, and supervising children during their leisure time while fathers are traditionally responsible for earning money and doing agricultural work. Some tasks (e.g. education and taking care of the children, as well as agricultural work) are commonly shared by both parents, and in some cases, gender perceptions align with each other; for instance, in nearly half the families surveyed, both the father and the mother were perceived as breadwinners and caregivers.

Migration inevitably rearranges these gender roles. In families where both parents are at home, the caregiver role is played by either both the father and the mother (in 53% of families surveyed), or by just the mother (in 32% of families surveyed). When the mother leaves, her role is often taken by the father or another female household member. For instance, in families without migrants, only 1% of fathers cook, but in families where the mother has migrated, 41% of fathers prepare meals. One 14-year old Moldovan girl summarised her situation by saying, “My father is like a mother to me, he cooks, he does everything.”

It is important to mention that when mothers migrate, children still consider them as caregivers (in 9% of cases, they are considered as sole caregivers and in 23% of cases they are considered as caregivers together with the father). This can be explained by the short-term, seasonal nature of migration on the one hand, and by the close contact that migrated mothers maintain with their children on the other hand. Survey data show that Moldovan families keep in close contact with migrant family members; 52% reported that they communicate a few times per week, another 26% reported that they communicate weekly, and only 7% reported that they communicate monthly or less frequently.

Figure 2. Who Takes Care of Children in Families with and without Migrants, by Percentage?

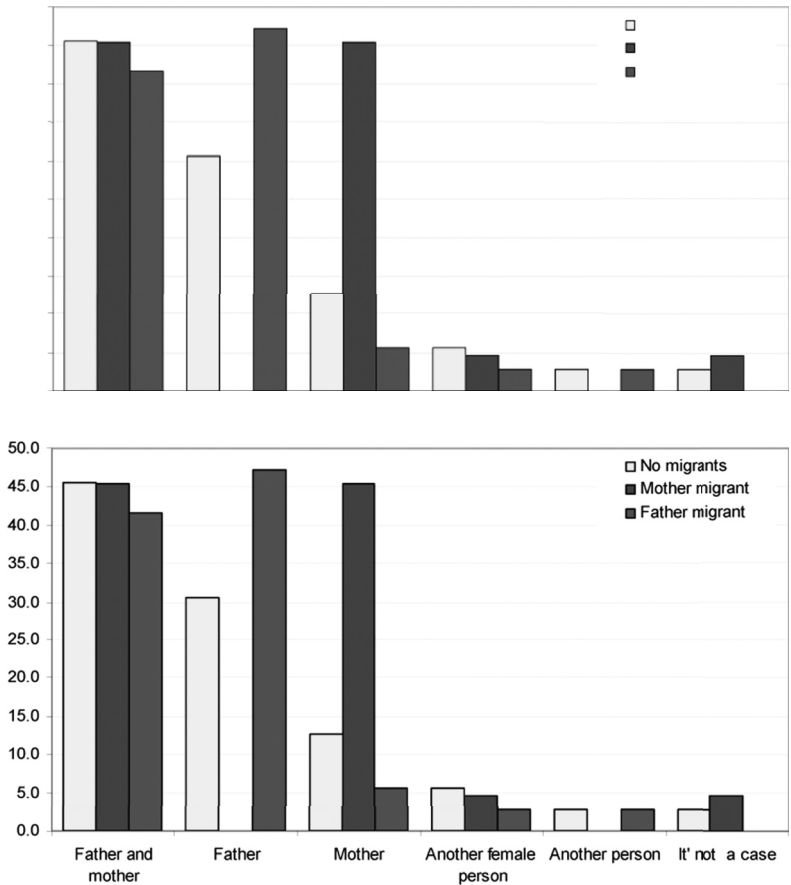


The survey data indicate that many children have difficulty adapting to the intra-household divisions of labour produced by migration. For example, a 16 year-old rural Moldovan boy responded: “It was very difficult, very, very difficult. There was no one to wake me in the morning, to prepare meals until I learned how to do what usually mother or father did, but now I can do this myself.” A 15 year-old rural girl described: “Then both parents had left and it was very hard as neither mother nor father was nearby. Then I got used to it, but it isn’t the same. It is not a big deal, but I worry without them.” Some children notice that their mother’s absence affects their usual schedule as they have less spare time to play and are more involved in household chores. For example, an 11 year-old rural male reported: “Dad doesn’t let us go play somewhere, just sometimes on holidays, but mom allowed us to go play. Father doesn’t allow us because we’ve got things to do at home.”

Because labour migration from Moldova is generally a result of economic factors, migrants are often perceived by their family members as the main providers. Interestingly, both in migrant and non-

migrant cases the share of dual-earning families is quite high (close to 45%). In a family in which the father has migrated, the father is more likely to be perceived as the main breadwinner (in 47% of the cases) than he is in a non-migrant family (31%). Likewise, the mother is less likely to be perceived as the main breadwinner in a family with a migrant father (6%) than she is in a non-migrant family (13%). Mothers are mentioned as the main providers in 45% of mother-absent families —a sharp increase from the 13% reported in non-migrant families. Both father and mother are perceived as important breadwinners in 46% of the families in which mothers have migrated.

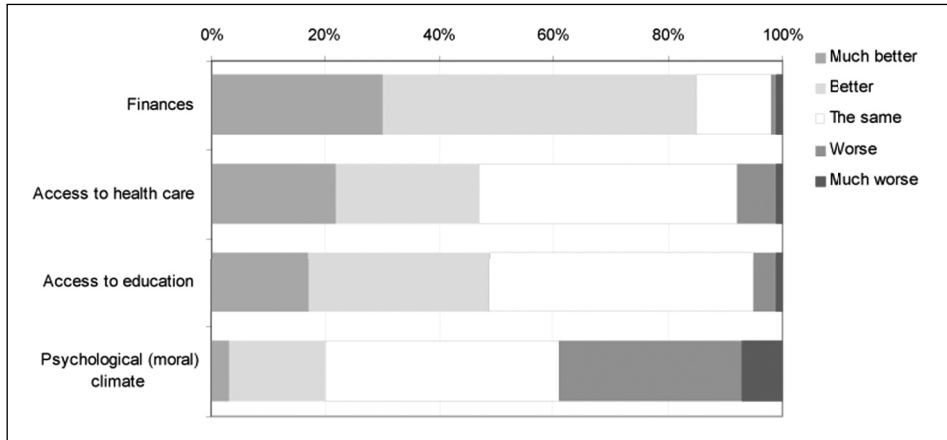
Figure 3. Who Earns the Money in Families with and without Migrants, by Percentage (%)?



The study shows that remittances have a positive impact on the financial situation of families receiving them. The great majority of participants (79%) said that the financial situation of the family had improved after one of its members went abroad to work. This was to be expected, as migration from Moldova has in large part been caused by poverty and as most of those who work abroad have left in order to achieve socio-economic goals or meet specific family needs. Interestingly, access to health and education did not improve significantly after a family member went abroad, which could be explained by non-performed family roles (see below, Figure 4). This suggests that money alone is not enough to improve access to education and health care, and that the role of family caregivers in these two spheres is high, although not as visible. Last but not least, a high number of

the respondents (39%) reported that the psychological climate in their family deteriorated after the migration of a family member, while only 20% reported an improvement in this climate.

Figure 4. How Did Your Family’s Life Change after a Member Went Abroad to Work?



Changes in gender roles can influence communities as well as families. Many respondents suggested that women’s migration gives them financial independence and increased decision-making power; they also noted that migrant women increasingly model their behaviour on the behaviour of women in their host country. As a result, women working abroad are more self-confident and have more self-esteem. While domestic violence against women is widespread in Moldova, women who have worked abroad seem less willing to tolerate abuse by their partners and more likely to insist that abusive partners change their behaviour; if not, they divorce and try to rebuild their lives. A representative of a local municipality said the following:

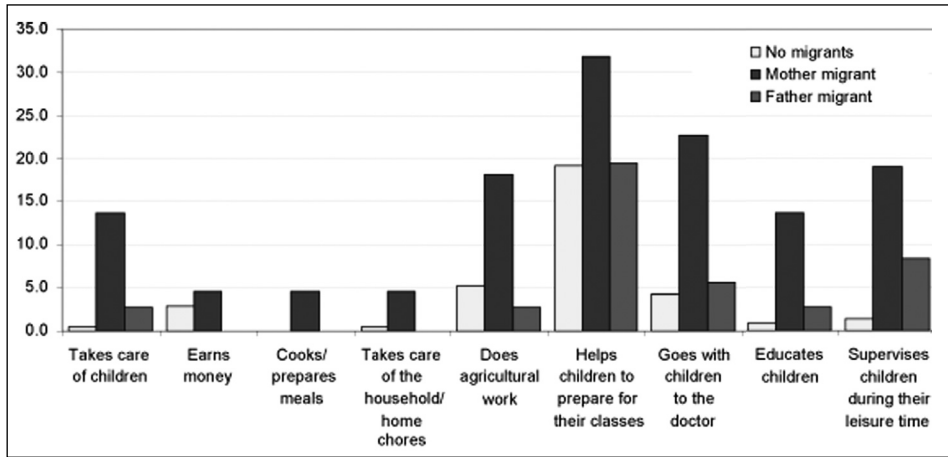
Women are now more confident. From docile women afraid of their men, they have turned into self-confident persons in control of their lives and even of their family situations. I know many cases of women who if they had not left the country would have tolerated their husbands, while upon returning home they tell them, ‘Don’t you dare lay a hand on me ever again. If you do, then you will have problems for the rest of your life and [will] not be a free man again. If you want you can change. Look how people live abroad,’ and some men have started to change. They moved to the city and became more orderly and gave up drinking habits and buddies. These are some positive examples, but there are also cases when women make demands and husbands disagree, and some families fall apart.

A wife’s departure to work abroad may therefore entail risks for a husband, particularly in view of the paternalistic expectations of Moldovan society. A woman working abroad will earn more and may try to manage these resources herself, which can threaten the husband’s role as head of the family and cause him to look for a new partner or seek comfort in drinking. In cases where women’s work abroad is associated with prostitution, a woman’s migration may stigmatise both herself and her family.

Migration — particularly the migration of mothers — may lead to the ‘disappearance’ of certain family roles. The migration of mothers seems to have a significantly higher negative impact on childcare than the migration of fathers does, for example. The survey data suggest that in 14% of families with mother-migrants, children believe that no one is taking care of them (compared to only 3% for

families with ‘only’ the father abroad). When mothers migrate, similar problems are evident in other areas of family life in which women traditionally play significant roles, such as educating children, helping them with school work, taking them to the doctor, and supervising them during their leisure time. This ‘disappearance’ can be especially dangerous if it has a long-term negative impact on childhood development and well-being.

Figure 5. Non-Performed Roles in Migrants’ Families



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**Making Europe More Attractive for Highly Skilled Migrants:
The Strategies used by EU Countries to Attract Foreign (non-EU) Students**

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On October 23, 2007, the European Commission announced the adoption of two legislative propositions concerning economic migration (<http://europe.eu>) in order to “reinforce [the] attractiveness of Europe to highly skilled migrants and approve the protection of migrants legally residing and working in the EU” (www.co-developpement.org). Franco Frattini, Vice President of the Commission (who is responsible for Justice, Freedom and Security), proposed the creation of a ‘blue card’ (Dixon, October 23, 2007) inspired by the American ‘green card,’ which would apply to foreign workers who already have a work contract in a member state and professional qualifications (www.migrationinformation.org/). Frattini specified that the European Union should open its borders to 20 million migrant workers in the next 20 years (www.co-developpement.org) and he also noted that Europe is in ‘competition with Australia, Canada, USA and Asian economic powers’ (www.ft.com).

The Changing Demand for Immigrants

The encouragement of skilled or selective migration is one of the main aims of the E.U.’s immigration policy, even though it is attested that all kinds of migration are vital for Europe and that all sorts of immigrants are an asset to the European demographic and economic situation. Within the last thirty years, there have been great changes in the economic sectors of Europe, with profound effects on immigration. For example, in 1970, France’s industrial sector represented 42.8% of its total GDP and there was a high demand for labour immigrants (<http://www.unece.org/>); as of 2004, however, France’s industrial sector had decreased to 24.4% of total GDP and its agricultural sector had decreased to 2.7% (down from 17% in 1950) (<http://www.diplomatie.gouv.fr/>), changing the profile of immigrant demand. Today, France employs mainly in the services sector (this sector represented 72% of its total GDP in 2004) (<http://www.diplomatie.gouv.fr/>) and therefore needs immigrants who can contribute to this sector. The same trend that has occurred in Germany: the share of industry in Germany’s total GDP fell from 51% in 1970 to 32% in 2004, and the services sector’s share in Germany’s total GDP represented 70% in 2004 (<http://country.alibaba.com/>).

In particular, the entrance of about 900,000 highly-qualified specialists into the American market between 1990 and 2000 has made the European Union think more about the issue of immigration, especially because in comparison to the United States (which received 370,000 immigrants in 1999 alone), Japan (which received 129,000 immigrants in 2000) and Canada (which received 86,000 immigrants in 2000), European Union countries have very low total immigration numbers: for example, France received 5,300 immigrants in 1999, Germany received 8,600 immigrants between 2000 and 2001 and the United Kingdom received 39,100 immigrants in 2000 (OECD, 2002, p. 3). Although the total number of foreign workers is relatively high in E.U. countries, the percentage of highly-qualified foreign workers remains low in comparison to Australia (25%), Canada (19%) and the United States (9%). Among the fifteen E.U. countries, Luxembourg alone attained the United States’ proportion of highly-qualified foreign workers, and only Belgium and Austria have more than 5% of their foreign workers placed in highly-qualified jobs. While in Australia there are just as many foreign workers in highly qualified jobs as there are foreign workers in unqualified jobs, in Germany and France the number of qualified foreign workers is very small in comparison with the total foreign workforce (Ibid, p. 4).

Each European country has developed its own system to attract and provide visas for skilled foreigners. For example, in 2001 the United Kingdom launched its Highly Skilled Migrant Program based on the academic and professional experience of foreign candidates applying for a job which particularly focuses on attracting foreign MBA candidates, as well as young foreign scholars from U.K. universities. In 2000, Germany introduced a green card especially for IT engineers, allowing a five

year stay and making it easier for engineers to gain permanent residence (<http://www.workpermit.com/>). In 2002, Denmark established a job card scheme focused on IT engineers (<http://www.workpermit.com/>), and in 2007 the Danish government issued 50% more green cards¹ than it had in 2006, further showing the country's interest in skilled immigrants (<http://www.workpermit.com/>).

At the same time, some European countries are still looking for the right formula to attract skilled migrants. In 2007, France (on the basis of a 2006 law related to immigration and integration) established a “Carte competences et talents” which is now given to foreign candidates for a period of three years after a positive evaluation by local representatives and the Ministry of Internal Affairs. Although it basically was continuous with earlier immigration legislation facilitating visa procedures for scientists, athletes, etc., the new French government proposed the card as the formula to stop unskilled migration in order to affect public opinion. Nevertheless, at the time of writing (seven months after the law was passed), no skilled immigrants have yet obtained the card (<http://www.rue89.com/>).

The above examples show that there are many different conceptions of how best to attract skilled migrants, and that the policies of immigration are quite complex. Different countries' programmes may have the same or similar names, but they may mean different things in their respective contexts. To take just one example: the European blue card is not the same as the American green card—the former is issued to people who have already been to Europe for professional reasons, whereas the latter is issued on a selective basis to individuals who may never have been to the U.S.

Foreign Students: An Important Population of Skilled Migrants

European countries are aware that the search for highly-qualified migrants has become very competitive, and that these skilled foreign professionals usually settle in the country that proposes the highest salary. From a financial perspective, the E.U. is often at a disadvantage, since even European highly-qualified professionals often leave for other countries in order to earn higher salaries. For instance, the salary of a professor at a French public university starts at €2,983 per month (<http://www.education.gouv.fr/>) whereas the starting salary of an assistant professor at an American public university is about \$6,715 per month (<http://www.uofaweb.ualberta.ca/>), a 45% difference. In order to attract foreign professionals to Europe without paying the highest salary, E.U. countries have instead emphasised Europe's better working conditions to foreign students—a novelty which shows Europe's awareness of the potential that foreign students have.

In a paper addressed to the U.K. Presidency of the E.U. in 2005, the French migration specialist Patrick Weil (2005) wrote that ‘third-worldism’ politics is incoherent and encourages foreign students to return to their countries of origin (p.5). He also warned that: “Non-EU citizens [...] from the moment they receive a degree from a European university enter the world market of graduates [...] and if Europe refuses them residency, they will receive job offers from the USA, Japan, Canada [...] and will be ‘lost’ both for their country of origin and for the country where they received their training” (Ibid.). Weil pointed out those graduate foreign students “could receive the benefit of a permanent visa” in Europe (Ibid, p. 6).

The largest pool of skilled migrants for many countries is the body of foreign students studying in that country, and indeed, a foreign student is the best and most representative example of the ‘skilled migrant’ in economic, political and social terms. Therefore, behind all the slogans about skilled migration, European countries, as well as the U.S., Australia, Canada, and New Zealand, are really trying to attract the brightest foreign students who already know the society, language and lifestyle of the destination country.

¹ The Danish green card, unlike the U.S. green card, is given only to foreigners residing in the country.

The Atlas of Student Migration

As discussed above, all countries compete in attracting foreign students, and European countries have recently become some of the leading competitors. The increase in demand for foreign students has coincided with an increase in opportunities for foreign study all over the world. In 2004, no less than 2.5 million tertiary students studied outside their home countries—41% more than the 1.75 million who did so just five years earlier (UNESCO, 2006, p. 34). Yet, currently 67% of the world's mobile students are hosted in only six countries: the United States (23%), the United Kingdom (12%), Germany (11%), France (10%), Australia (7%) and Japan (5%) (Ibid., p. 35).

Developing countries have the highest percentage of students who leave in order to gain a higher education. Sub-Saharan Africa has the highest percentage (5.9%, three times greater than the global average), followed by Central Asia (3.9%) and the Arab States (2.9%). There are some countries which have more students studying abroad than at home, including Andorra, Belize, Cape Verde, the Comoros, Djibouti, Guinea-Bissau, Luxembourg and Tonga. Another fifteen countries, mostly in Sub-Saharan Africa, have rates exceeding 33% (Ibid, p. 37).

Numerically, the greatest number of mobile students comes from East Asia and the Pacific (701,000, or 29% of all mobile students) followed by Western Europe (407,000, or 17%). In the last five years, the share of mobile students from East Asia and the Pacific has risen from 24% to 29%, whereas in Western Europe it has dropped from 22% to 17%. China is the most common country of origin, with 14% of the total number of mobile students, followed by India, Korea, Japan and Germany (Ibid., p.38). In absolute terms, East Asia and the Pacific send away a tremendous number of mobile students, but the region's mobility ratio remains close to the global average. Forty percent of East Asian and Pacific mobile students remain in the region, 34% go to America, and 25% go to Western Europe. The United States is the most popular host country, followed by Australia (15%) and Japan (15%) (Ibid., p. 44).

Almost 300,000 mobile students come from Central and Eastern Europe. Turkey (52,000) and the Russian Federation (34,000) have the largest groups of mobile students. Germany also has a large number of students (100,000), 20% of whom remain in Central and Eastern Europe. Two thirds (194,000) of the mobile student population of southern and western Asia comes from India, by far the highest mobile-student-producing country in the region (Ibid, p. 44). The majority of Indians go to North America, followed by Western Europe (26%) and the East Asia/Pacific region (17%) (Ibid., p. 45). Half of all Latin American mobile students go to North America, and another 30% go to Western Europe, mostly to France, the United Kingdom and Germany (Ibid.).

With 194,000 mobile students, Sub-Saharan Africa accounts for about 8% of the world's total mobile student population (Ibid, p. 39), and about half (51%) of these mobile students go to Western Europe. Because linguistic, cultural, and historical links are important factors in selecting a country to study in, France is the most common receiving country for Sub-Saharan African mobile students (Ibid, p. 40). About 177,000 mobile students (7% of the global total) come from Arab States. Western Europe remains the most common receiving region, hosting two out of every three of Arab mobile students, followed by North America (12%). The Central Asian region makes up just 3% of global mobile students, but it has an increasingly high ratio of mobility; for example, between 1999 and 2004, the region's ratio of mobility increased by 45%. Still, the majority of Central Asian mobile students stay in the CIS region while 14% study in North America and 4% study in Western Europe (Ibid, p. 41).

As demonstrated by the above facts, Western Europe and North America compete in the international arena for talented young students and themselves do not have high mobility ratios. For example, North America makes up about 3% of global mobile students (the same percentage as Central Asia),

with 41,000 from the United States and 39,000 from Canada. While Western Europe has the second largest number of mobile students going abroad (*ibid.*, p. 41), the majority (80%) of these students remains in the region, and only 15% go to North America. For Western European mobile students, the United Kingdom is the most popular host country (100,000), followed by Germany (52,000), the United States (51,000) and France (33,000) (*ibid.*, p. 43).

A Rising Concern: How to Attract More Students?

The competitive marketplace that is the result of different countries seeking to attract foreign students has affected the total share of mobile students. Although the United States remains the leading destination country for mobile students, its share of total mobile students fell from 28% to 23% within the ten year period between 1994 and 2004. On the other hand, Australia and the United Kingdom have benefited greatly from the mobile student expansion that occurred between 1994 and 1999, as have France and Japan. It should be noted that cultural and historical links may not always play an essential role in the foreign-study decisions of mobile students: while France and Belgium attract many students because of the shared culture and history generated by their former colonial presence, Spain (which shares much culture and history with North and South America because of its former colonial presence there) hosts a lower number of mobile students than Sweden or Austria (*ibid.*, p. 47).

Almost all leading universities strongly petition their governments to attract highly-qualified foreign students. In addition, the Association of International Educators, which promotes student exchanges to and from the U.S., recently produced the NAFSA report, which points out how difficult it has become for international students to obtain U.S. visas since the September 11th terrorist attacks and concludes that, because of this, many students are choosing to study in other countries (www.nafsa.org). The Association claims that the U.S. should restore its competitiveness in the battle for international students and scholars for several reasons, including:

1. The promotion of U.S. foreign policy and international leadership;
2. The growth of the knowledge economy;
3. The educational benefits that a U.S. education can achieve;
4. The significant contribution to the U.S. economy of international student spending (\$13.3 billion in 2004-05);
5. The enhancement of U.S security through educational exchange.

The NAFSA report also advises the reform of immigration laws “in order to create and support a climate that encourages the contribution of foreign talent” (*ibid.*, p.7). Jeanne Batalova (2006) argues that although the quality of U.S. institutions is high (17 out of the world’s top 20 universities are in the U.S.), there is still a need for a more ‘welcoming environment’ (p.9). More specifically, she says that the U.S. should be better at ‘providing a path for permanent immigration’ (i.e. facilitating permanent residence for all foreign students) (*ibid.*).

The issue of whether countries are welcoming enough for foreign students is also debated in the U.K., where overseas students pay higher tuition than national or EU students (at some institutions, tuition can be about three times as high) (<http://education.guardian.co.uk/>). According to the British Council, the revenue from international students to the U.K. economy was about £8.5 billion between 2003 and 2004. In addition, there are concerns that international students are not integrated well enough into British universities, that their talents are wasted, and that sometimes they overstay their visas (<http://www.guardian.co.uk/>).

Christiane Kuptsch, a research officer at the ILS (the ILO's International Institute for Labour Studies), points out that policy documents in Germany no longer speak of 'being international' but instead of 'internationalising studies in Germany.' In October 2000, German representatives from business, academia and government launched a campaign to promote Germany as a centre for science and education world-wide. Similarly, in January 2000, the French government announced that it would like to double the number of visas issued to foreign students (isim.georgetown.edu/...).

Recent Changes and Trends in Major EU Countries: The Cases of the U.K., France and Germany

The benefits that derive from foreign students are different from one country to the next, and ideas about how to handle foreign student education are not always the same. In the U.K., the higher education system primarily divides foreign students into two categories: E.U. students and non-E.U. students. There is a difference in the tuition charged to home students, E.U. students and non-E.U. students, with the latter two categories of students paying more than the first. For the British government, the dilemma is whether to make tuition rates equal for E.U. and non-E.U. students (which would decrease the direct benefits to the U.K) or whether instead to facilitate non-E.U. students' access to the British labour market. The government moved towards the second option when it established the Highly Skilled Migrant Program, which directly qualifies certain candidates, such as MBA holders from select U.K. institutions, to gain the benefits of a resident visa. Since May 1, 2007, students who earn a bachelor's degree or a postgraduate degree in any subject have been able to apply to extend their visas in the U.K. (<http://education.guardian.co.uk/>).

Foreign students still face many problems, though. The recently-passed Higher Education Bill in Britain maintains the tuition differential between British and non-British students (<http://www.publications.parliament.uk/>). Immigrants seeking to enter the country on short-term student visas are often not welcomed. While previously-passed legislation facilitated foreign students' residence in the U.K. if they were taking English courses (which then became a way of immigration), in September 2007 legislation was passed which has changed the process that a foreign student has to go through to obtain a visa, making it more complicated and differentiating between a 'visitor student' visa (which allows for a maximum 6 month stay and is non-renewable) and a 'student' visa. In the end, the U.K. does not have an increasing need for foreign graduates since national university enrolment is currently about 44% (2004) and is expected to rise to 50% by 2010 (<http://news.bbc.co.uk/>). But the increasing number of graduates allows to stock qualified workers which may work for lower wages (<http://news.bbc.co.uk/>).

The French case is completely different from that of the UK. Tuition fees are very low in comparison to the U.S. or the U.K., which makes the country attractive for low-income foreign students. The traditional approach of the French government to immigration has mainly been to fight so-called 'brain-drain' and address how foreign students might stay to work. The conditions of non grant-holder students at French universities have always been quite difficult (Weil, 1991, p.359). From a global perspective, France's immigration laws have traditionally privileged joining family members rather than attracting talented students. Lately, however, France has started to become more concerned with attracting talented students (especially coming for MA and other higher-level programs) (Velpry, 1999, p. 13), and in the process it has begun to privilege EU students over African ones (Ibid, p. 6), signalling a shift from massive student migration to elite migration (Slama, 1997, p.55). At the same, France is in some ways more lenient now than it was in the past when it comes to the work restrictions imposed on foreign students. Currently, foreign students who have obtained an MA-level degree in France can legally stay in France 6 months after graduation to search for a job, whereas before 2007 they were obliged to return to their country of origin immediately.

In Germany, the number of foreign students is not calculated on the same basis as in France. Due to the *jus sanguinis* nature of German citizenship, the children of immigrants are also considered as foreign immigrants (OECD reports use the category 'second generation migrant students' for these students) so that in reality, the number of foreign students in Germany is relatively low. In 2003, the majority of Germany's 227,000 foreign students came from Europe (71,000 from Western Europe and 65,000 from Eastern Europe) (Ibid, p. 12), and about 28% of these students were non-mobile (Ibid, p. 17). Of the foreign students in Germany, only 48% selected the country as their first choice, implying that Germany especially attracts those who cannot succeed in studying in other countries, such as the U.S. (35%) (Ibid, p. 55). For a large majority (68%) of students who come to Germany from developing countries, getting an education without paying tuition is important (Ibid, p. 45). Aware of this, the German government has made a number of special efforts to attract students from developing countries with no support from their homeland (so-called 'free movers'), and it currently provides more than 500 diplomas in English (<http://globalhighered.wordpress.com/>). The Immigration Law of 2004 is especially geared towards highly-skilled immigration (<http://www.old.iom.int/en/>) although it does not especially qualify students as skilled immigrants. In 2005, only 1000 people were allowed to come into Germany through the Immigration Law programme (Weizsacker, 2006, p. 1) in spite of government predictions of 200-300,000 incoming immigrants a year (<http://www.old.iom.int/en/>). Foreign students can remain in Germany without a job for up to one year after their graduation, and they are allowed to apply for a resident permit after obtaining a job, which makes Germany's immigration climate much more favourable than that in Australia, Canada, New Zealand or the U.K. (<http://www.cesifo-group.de/>).

New Actors in the New Competition: The Rising Attractiveness of Nordic Countries

Lower flexibility of British, French or German universities make them less attractive than universities in Nordic countries like Sweden, Denmark or the Netherlands. There are many factors which make British, French, and German universities undesirable to foreign students. In the U.K., the problem is mainly financial: extremely high university tuition fees for foreign students. In Germany and especially in France, the problem is mainly linguistic: today, English is the global language, and according to the British Council, by 2010 there will be two billion English learners world-wide (in 2000, there were one billion English learners) (<http://news.bbc.co.uk/>). Even though in the European Union French and German remain very desirable languages (they are studied by 32% and 18% of European school children, respectively) (<http://ec.europa.eu/>), the situation is not comparable outside Europe. While British, French and German universities are becoming less attractive, universities in Nordic countries such as Sweden, Denmark and the Netherlands are becoming more attractive for foreign students.

Figures from the 2004 OECD report show that Sweden has one of the world's fastest-growing foreign student populations. Sweden's foreign student figure increased from 4.5% of total students in 1998 to 7.5% of total students in 2002, alongside an increase in exchange programme enrolment (ERASMUS as well as Nordplus) (www.studyinsweden.se) — although not many foreign 'free movers' were enrolled in these programmes, according to the National Agency for Higher Education. There is an increase of exchange program enrolment (ERASMUS as well as Nordplus). However, the National Agency for Higher Education stated that 4000 foreign free movers were not enrolled in the above programs in 2004 (Ibid.). Besides Sweden; Denmark also has a very favourable student climate. The Danish government has increased the number of English teaching universities (25%) (<http://globalhighered.wordpress.com/>), and Denmark's share of foreign students rose from 6% in 1998 to more than 8.5% in 2003 (<http://www.oecd.org/>).

The Netherlands offers more than 1300 programmes in English (<http://globalhighered.wordpress.com/>). Although the percentage of foreign students remains relatively low (4%), it is likely that the

country will attract more foreign students in the future. The government allows foreign graduate students a year to find a job in the country, and it has reduced the minimum salary one needs to earn to be qualified as a 'highly-skilled immigrant' from €43,130 to €25,000 per year (<http://www.studychoice123.nl/>). Since 2006, 3592 skilled migrants have come to the Netherlands under the new governmental programme (Ibid.), almost 3.5 times more than have come to Germany during the same period.

Concluding Remarks

The massive immigration regulations that have been passed in Italy and Spain demonstrate that national interests still remain strong among European states and that many Europeans are in favour of comprehensive regulations (in fact, many are in favour of zero immigration). These anti-immigrant feelings derive from the privileged place that many highly-skilled immigrants will have in society, as well as from the realities of the welfare state. All E.U. countries seem to focus public opinion on border control while avoiding more substantive issues, such as how immigrants can become part of the host country's society within several years. E.U. countries have changed from massive to selective migration, but the real issue is Europe's increasing need for continuous immigration, particularly highly-skilled immigration. The various legislation regarding highly-skilled foreign students and their place in Europe still needs some time before it will stimulate concrete, beneficial change.

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**Migration Trends in Central Asia:
Migration Flows in Southern Kyrgyzstan**

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Today, the problem of migration is one of the most significant issues in Kyrgyzstan, a nation that is unable to provide for the well-being of its citizens because of a lagging economic crisis and weak capacities for economic growth.

The southern provinces of Kyrgyzstan are of particular concern since massive waves of migration have led to many migration problems there.

South Kyrgyzstan is part of the Ferghana Valley, which in some places has a population density that is among the highest in the world, with 500-600 people residing on 1 square kilometre of land. In addition, more than 60% of the people living in these densely-populated areas are youths below the age of 25, which indicates the potential growth of this statistical indicator in the future.

In all three states whose national borders cross into the Ferghana Valley (Kyrgyzstan, Tajikistan, and Uzbekistan), one can observe socioeconomic and political problems, including unemployment that has reached horrible heights and people fighting simply to survive.

Figure 1. Southern Kyrgyzstan in the Ferghana Valley



Another peculiarity of the region is that the southern Kyrgyz part of the Ferghana Valley is the least populated part, with less than 100 people residing on 1 square kilometre of land. Many Tajik and Uzbek citizens look upon the relatively unpopulated territories of southern Kyrgyzstan with envy, and many have actively settled there and are illegally occupying these Kyrgyz territories.

In addition, unregulated migration processes in areas near the Kyrgyz border aggravate interethnic relations, enhance the potential for conflict, and play a role in the destabilisation of the region.

The State Migration Policy Concept till the Year 2010, which is in effect in Kyrgyzstan today, fails to cover the entire range of problems and issues pertaining to migration in the cross-border areas of Kyrgyzstan, and at the same time it fails to take into consideration the specificity of their geographical and social peculiarities.

One can identify three types of migration into southern Kyrgyzstan: illegal migration, foreign migration, and domestic migration.

Illegal Migration:

Illegal migration from Tajikistan and Uzbekistan into the cross-border villages of Kyrgyzstan has

become an uncontrolled and widespread phenomenon, rooted in the following factors:

- Kyrgyzstan's economic reforms (despite being implemented in a nation lacking natural resources), have succeeded in creating small-scale free enterprise opportunities, a situation which differs from that in neighbouring Uzbekistan and Tajikistan, where business is still a monopoly of the state.
- There are many opportunities in Kyrgyzstan for migrants to improve their living standards. In both Uzbekistan and Tajikistan, where the population density is very high, the state cannot provide its citizens with the land lots necessary for residential housing; on the other hand, in Kyrgyzstan, the private ownership of land is permitted, and citizens are more adequately provided with residential housing.
- The civil war in Tajikistan, the unrest in Andijan (Uzbekistan), and the severe policies of the Uzbek authorities make people living in Uzbekistan and Tajikistan seek better and safer places to live.
- The demarcation and delimitation of state borders between Kyrgyzstan, Tajikistan and Uzbekistan are still unresolved issues.
- There is a lack of immigration control, state borders are porous, the visa and admittance regime is very liberal, and there is widespread corruption among the Kyrgyz authorities, who facilitate the arrival of illegal migrants into the territory of Kyrgyzstan and are responsible for legal nihilism, i.e. total ignorance and disrespect of the rule of law, furthered by a lack of appropriate controls and enforcement.

Tajik and Uzbek migrants mostly work in the fields or on construction sites and their movements and transport is characterised by a back-and-forth motion, as they arrive in the morning and leave in the evening.

The following are the main forms of migration identified among Tajik migrants:

- a) Illegal land and lodging purchase (without appropriate documents)
- b) Illegal land-reclamation

Most of labour migrants —if they stay in Kyrgyzstan for more than 5 days— also violate the visa regime and the registration procedures. Yet, the authorities do not take adequate measures and violators are not deported.

According to one of the officers of the Kyrgyz Department for Migration and Employment, “Toleration on the part of state bodies towards the existence of illegal labour migration creates an excellent enabling environment for the growth of corruption and bribery among customs, border control, and law enforcement officers. We do not make them [the illegal migrants] go away, but we are not legalising them either, meaning that we are allowing dishonest officers of the law to extort money from illegal migrants for the right to stay in our country.”

Foreign labourers and local employers develop ‘labour relations’ based on the definition of labour activities in the Law on Foreign Labour Migration, and all the guarantees provided for in the legislation must apply to the participants of these labour relations. However, illegal foreign labour migrants have a socioeconomic and legal vulnerability since employers are aware of these migrants’ illegal status and therefore do not sign written labour contracts (instead, all the arrangements are verbal). This results in situations where the rights of labour migrants are not protected or enforced when they are violated.

Negative aspects of illegal labour migration include the opportunities present for both migrants and their employers to evade taxation, social contributions, and legal rates for the engagement of foreign labour (about which both labour migrants and their employers oftentimes have no idea).

In addition, the amount of losses to Kyrgyzstan triggered by the underpayment of mandatory labour fees to the state budget totals in the millions of Kyrgyz soms (the national currency) annually.

Furthermore, non-compliance with the provisions of the Kyrgyz legislation by foreign immigrants and Kyrgyz employers brings about conflict situations with the authorities.

Among the negative consequences of the further growth of the foreign labour supply, the Kyrgyz Civic Society notes the growth of conflict situations between the local population and migrants. According to the administrative representative of Kara-Suu town market (the largest market in southern Kyrgyzstan): “they [foreign labourers] engage in price wars with local entrepreneurs and take jobs away from our unqualified labour. This always triggers problems. If such trends continue, our [Kyrgyz] citizens will simply ‘explode’.”

Labour migrants oftentimes fall victim to various types of discrimination, including ethnic discrimination. There were numerous cases in which the rights and interests of these people were outright violated, including frequent and serious breaches of the law by law enforcement and other state bodies and even by the local population. Due to their illegal status, illegal migrants do not seek help or protection from state bodies or any other institutions. As a result, crimes and other breaches of the law committed against them remain unreported, which again shows the sad situation in which people with illegal status live. Indeed, the crime statistics only prove this.

A person whose rights are not protected or enforced is a hidden menace to society and the state. The ongoing violation of such a person’s rights on the part of state and law enforcement bodies becomes a perpetual source of revenue for corrupt state employees while desperation and a lack of means to survive may prompt such a person (the illegal migrant) to commit crimes.

Another significant, problematic issue related to illegal migration that worries authorities today is the residence of Tajik citizens in the cross-border Kyrgyz districts of Leilek and Batken in the Batken province. More specifically, at least 115 Tajik families today reside in the territory of the Kulunda rural administration, of which 108 families reside in Maksat village and 7 in International village. With each year that passes, this trend grows. Under the present circumstances, in which even the local population faces employment shortages, problems finding drinking and irrigation water, and limited access to education, such a situation creates conflicts between the local population and migrants and transforms these conflicts into interethnic ones, destabilising the political situation in the cross-border communities of the two neighbouring nations.

Domestic and Foreign Migration:

The uncontrolled growth of foreign labour migration from Tajikistan and Uzbekistan into southern Kyrgyzstan has become a factor provoking the growth of domestic and foreign migration among the population of southern Kyrgyzstan.

The artificial cheapening of labour due to the inflow of migrants from neighbouring countries negatively affects the local labour market and triggers an even higher outflow of Kyrgyz citizens in search of better lives.

For instance, per the official data of the Batken Province Department for Population Employment and Migration Service, the number of outbound Kyrgyz labour migrants for the entire province is as follows:

#	District Or Town Name	Number of outbound individuals	Including:				
			Russia	Kazakhstan	Bishkek	Chui Province	Other
1	Leilek District	4977	2419	29	2439	-	90
2	Sulyukta Town	2830	850	30	1800	-	50
3	Kyzylkiya Town	1810	1179	152	440	22	17
4	Kadamjai District	6761	5723	140	603	-	295
5	Batken District	4026	1811	12	1756	7	440
6	Total for the Batken Province	20404	11982	373	7038	29	992

And these are only the official statistics; unofficially, the scale of migration exceeds these data threefold or fourfold.

According to the Legal Regulations for Foreigners Staying in the Territory of the Kyrgyz Republic:

Uncontrolled migration is a threat to the national security [because it causes]: the depopulation of cross-border territories and the deliberate population of these territories by neighbouring states, demographic imbalances, and the irrational distribution of the populace throughout the territory of the nation. (“Osh Adiletuu” Foundation, 2006)

Domestic migration:

According to Zelichenko (2008) in *Where migrant ways lead to...?*, domestic migration is characterised by the movement of citizens within a country from less economically developed to more economically developed areas. In Kyrgyzstan, this means the movement of Kyrgyz people from southern Kyrgyzstan to the northern Chui Valley and to Bishkek (the capital), where there are more opportunities to engage in business and agriculture.

By and large, domestic migrants, including Kyrgyz domestic migrants, fail to find jobs matching their skills and qualifications and end up facing hostile local residents, which again results in conflict situations.

This is best illustrated by the events that followed the popular revolution of March 24, 2005. The looting and illegal land captures that took place immediately following the revolution were mostly committed by ‘marginal nomadic migrants’ from the over-populated and economically stagnant peripheries outside the city, and in fact, 300-500,000 marginal nomadic migrants currently live in the capital, according to expert estimates. These domestic migrants do not have constant employment or sources of revenue, they live in places that don’t meet adequate residential living standards, and they are not properly registered and accounted for.

Foreign Migration:

Today, there are serious concerns about the scale of Kyrgyz foreign labour migration. According to expert estimates, the number of Kyrgyz labourers working abroad totals 300-350,000 people. There are no exact statistics about the number of Kyrgyz citizens that have left the country seeking a better life, but state and non-governmental specialists estimate that the majority of these migrants (96%) are in the 18-45 year-old range, i.e. they are the most mobile, active and labour-capable citizens. Ninety percent of this demographic of Kyrgyz labourers is estimated to be working abroad illegally.

Kyrgyz government officials, instead of working to create a favourable environment at home for the country's people, have accepted the desperate situation and their incapacitation, viewing migration as a way to resolve Kyrgyzstan's problems by 'unloading' the country's 'excessive' population. The departure of labour migrants enables these officials to artificially alleviate social tensions and draw funds into the Kyrgyz economy through the labour migrants' earnings remittances; yet, positive the short-term effects, the long-term negative consequences of such labour practices significantly outweigh the current advantages.

- In 15-20 years, Kyrgyzstan will face a situation in which the country will lack the most basic qualified labour needed to drive the national economy.
- The ongoing departure of young Kyrgyz citizens overseas will result in a reduction of contributions to the state Social Fund. In as few as 20 years from now, Kyrgyzstan will face a situation in which the state will not be able to honour its obligations to the people: i.e., pay pensions and various benefits to low-income households and the needy.

In addition to this negative outlook for the future, there are already negative consequences emerging today. For example, most of the Kyrgyz labour migrants living abroad have illegal status, meaning that no one can guarantee the protection and enforcement of their rights. The Kyrgyz state should not stop the process of migration, but it should control and regulate it, which it is currently incapable of doing.

In Osh market, recruiters freely walk around with loudspeakers and solicit people to travel abroad to earn 'good money.' Those needy people who express a desire to join the horde of labour migrants are put into buses and taken away. They are promised 'tons of money,' and they are told other lies (for example, they are told that no IDs or documents are required). Naturally, people fall for these tricks and lies, largely due to the infamous human factor—people believing that bad things can happen to anyone but them.

In actuality, many of these people risk falling victims to the practice of contemporary slavery and human trafficking. It is almost impossible to legalise their status abroad since at minimum they have to make the foreign labour quota established by the authorities of their destination country, which takes a great deal of time. However, no migrants think about any of these future difficulties. Instead, they decide to travel to work illegally overseas and then later face all the negative, unforeseen consequences of their decision.

The State's Policy with Regards to Migrants

The Kyrgyz state's policy regarding its migration problem is not effective or developed by any measure—political, legal, socioeconomic or socio-cultural.

The existence of this adverse situation is rooted in the following factors:

- Contradictions exist between national legislation and the supranational laws of CIS countries, and

intergovernmental migration and citizenship agreements are often imperfect and unenforceable.

- The procedures and conditions for legalisation and filing for citizenship are unreasonable: for example, there are an excessive number of documents to file, there are high rates of filing fees, and there are no consular offices in regions other than the national capitals.
- The relevant bodies of the executive system, particularly the Department of Passport and Visa Services, the Department of Internal Affairs, and Migration Services, do not perform their jobs adequately. Some of the major problems affecting these government bodies include, but are not limited to, the low qualification of personnel, corruption, narrow prerogatives (i.e. their operations are narrowed to a mere rendering of registration services), poor coordination with other bodies, insufficient technical equipment, the lack of a liaison or any type of positive cooperation between them and the public, and the lack of independent consulting assistance by non-governmental and international sector specialists.
- Borders are porous (transparent) because the authorised bodies are ineffective at controlling the borders.
- There is low legal literacy and awareness among the population: most residents of local communities lack information regarding migration and citizenship and lack access to professional assistance. Oftentimes, migrants are simply negligent about their status.
- The population has limited economic means, hindering its ability to cover all the financial costs related to migration, including passing the required procedures and filing for the appropriate documents.

Thus, from political, legal, socioeconomic and socio-cultural standpoints, Kyrgyzstan's intra-state migration and citizenship policy hinders the adaptation of society (both migrants and local residents) to migration processes.

Suggested Measures to Respond to Migration and Citizenship Problems

Due to the high conflict potential of migration and citizenship problems, particularly in the cross-border areas, urgent and comprehensive measures need to be implemented. The major goal of any migration and citizenship resolution must be to prevent conflict situations related to migration and citizenship issues by eliminating their root causes.

Given the identified forms of migration flow in southern Kyrgyzstan, the following problem-solving recommendations can be suggested:

1. Elaborate the legal mechanisms by which migrants from Tajikistan can obtain permanent residency in Kyrgyzstan;
2. Give Kyrgyz citizenship to migrants from Tajikistan who live on the border territories of southern Kyrgyzstan;
3. Develop and implement a Strategy Program to develop rural border areas.

In order to enact these specific strategies, practical measures on the following three fronts should be implemented:

- **Political:** Resolve problems related to political will and the state's resolution of migration and citizenship issues.
- **Legal:** Protect human rights and improve legislation and legal practice.
- **Peacemaking:** Improve the relationship between the authorities and problem-affected categories of the population, and between the local populations and migrants.

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**Human Trafficking in Azerbaijan:
The History of the Struggle and the Current Situation**

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The last quarter of the twentieth century and the beginning of the twenty-first has been characterised as a period of mass migration in world history, encompassing all the countries and regions of the world. Without tracing chronological contours of this period, we can conclude that this modern migration is multi-faceted, with influence on the economic, political and even social-cultural life (negative or positive depending on its character) of any country.

The migration of individuals both within and beyond national borders has taken place both legally and illegally. Unfortunately, the quantity of illegal migration has increased every year, which has directly jeopardised the ability of integration, national security, and stable development of any country. At times, the scale and scope of illegal migration, which occurs in different parts of the world, is so large that not only public and trans-national organisations, but also states with broad economic and political power, can not satisfactorily deal with the problems caused by migration. In such situations, there is a need to mobilise all actors within civil society, local and regional governmental organisations, and international and trans-national organisations working in the field of migration management, the provision of regional security, and the protection of human rights. This collaborative effort will contribute to the establishment of the effective measures by which states can cope with such influxes of migration. Only through these measures, will it be possible to correctly manage the migration processes and combat the illegal transportation of migrants, sexual and forced labour exploitation, the transplantation of human organs and tissues, and the trafficking of persons (especially women and children). This last migration process, human trafficking, is a specific and significant type of criminal activity that is currently one of the most serious of transnational crimes.

The term ‘human trafficking,’ according to the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children”, which supplements the United Nations (UN) Convention against Transnational Organized Crime and was adopted on November 15, 2000 with the resolution number 55/25 of the UN General Assembly, refers to the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat, force, coercion, abduction, fraud, deception, the abuse of power, a position of vulnerability, or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. In this protocol, it is also stressed that exploitation means at a minimum the sexual exploitation of others, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. This principle has found its reflection in legislative acts on combating against trafficking, as well as in the law of Azerbaijan Republic called “On Struggle against Human Traffic,” which was adopted on June 28, 2005.

It is no secret that human trafficking, in particular the trafficking of women and children, prostitution, sexual and labour exploitation, transplantation of human organs and tissues and other crime actions like these, are coarse violations and infringements of human rights and freedoms. Such trafficking jeopardises the security of people, societies, states, and regions by disturbing and concerning those states and governments that protect liberal values and democratic principles and consider the protection of human rights and freedoms as their supreme goal. Human trafficking is also a threat for Newly Independent States (NIS) that entered into a period of transition and therefore do not have effective measures for addressing this social disaster. According to the final calculations of the Police Department in Europe (Europol), between 200,000 and 500,000 people in Europe are victims of trafficking. Approximately 120,000 of them are from Balkan countries and 50,000 from Post-Soviet Republics. As Z. Yovanovski (2003), representative of Southeast European Cooperative Initiative Centre (SECIC), stresses, “the victims of human trafficking from South-East Europe can be discovered in [the] Middle East, South America and Western Europe” (p. 25). However, while he singles out these regions, there is not a country in the world where human trafficking does not exist. As a result of the large number of affected countries, it is important to note that the US State Department’s annual

reports focus on defence strategies that can be applied to a broad base of countries, regardless of particulars of origin, transit methods, or destination.

From looking at trafficking cases, it is clear that traffickers take advantage of their positions of power in order to improve their own life conditions. Using modern means of communication and transportation, traffickers can easily deceive people, in particular women and young girls, into being trafficked in order to make a substantial profit. This, however, is only half of the problem. The incorrect management of migration processes, weak political efforts to curb illegal migration by addressing corruption and bribery, poor coordination of states to persecute traffickers, protect victims, drained efforts of civil society are all other equally significant factors which create a favourable condition for the development and continuation of human trafficking.

As other Post-Soviet countries, the Republic of Azerbaijan faces both legal and illegal migrations. The main factors that cause Azerbaijan to be such an epicentre for migration are its geo-strategic position, as it borders five countries, on important migration crossroads and its participation in economic and regional projects. In addition, migrants are drawn to the country because it lacks control over the transit territory, it exhibits liberalist rules for entering the country, and it has ineffective written legislation regarding migration.

Today Azerbaijan is identified in international and local documents and reports as an origin and transit country whose territory is used for the transportation of potential victims. Girls and women from Azerbaijan, Russia, the Ukraine and Central Asia are transported within and through the country to the United Arab Emirates, Turkey, Pakistan, India and the USA. According to official statistics, 162 Azerbaijani victims were found in other countries in 2004, including 63 in Pakistan, 45 in the UAE, 40 in Turkey and 14 in India. That same year there were 150 victims within national border, 141 were Azerbaijani, 6 were Uzbek, 2 were Russian and 1 was Georgian. These statistical indicators testify to the fact that Azerbaijan is both a transit and a destination country for human trafficking, as indicated by the US State Department's 2005 annual report on human trafficking. In addition, it is important to note that 160 criminal offences, connected with human trafficking took place in the Republic in 2005. Following the publication of these figures, investigation measures were taken which led to the condemnation of 153 individuals, and the identification of 58 victims. In 2006 and 2007, 211 and 283 criminal offences took place, 207 and 300 persons were condemned and 86 and 101 victims were determined as condemned and identified, respectively (Department on Struggle Against Human Traffic of the Ministry of Internal Affairs of the Republic of Azerbaijan).

Due to the highly lucrative and less risky features of human trafficking compared to other crimes, the absence of necessary controls in the fields of tourism and employment, and the adoption of children by foreign citizens, human trafficking has become increasingly common. Certainly, Azerbaijan is not an exception. According to the research of the former State Committee of the Azerbaijan Republic on Women Problems, the majority of women who were sexually violated in Baku and other main cities are from different regions of Azerbaijan and 82% of them are victims as a result of unemployment and poverty. In 2005, 500 women are taken to Turkey and 4,000 women to Dubai from Azerbaijan each month. In addition, between 2000 and 2001, one company, under the auspices of marriage to a foreigner, managed to transport 17 Azerbaijani women to Finland and then sell them in brothels functioning within the country (The Land of Alone Women, 2002). As a result of efforts of national NGOs, these statistics were presented not only to society, but also to legal-defence structures, thereby gaining liberation for the victims.

Different mechanisms for the trafficking of girls, as well as boys, in the southern regions of Azerbaijan show the gaps in legislation and operation. These methods are different because the type of crime

varies by region. Girls in the southern regions of the country are deceived by promises of marriage and transported to other countries for trafficking, whereas girls in the western region of the country are promised the provision of employment and subsequently are taken to Greece and Turkey. This method was also used by human traffickers on men who are willing to work abroad, but are forced to work in the stone quarries, on subtropical plantations, and in construction (Ibragimkhalilova, 2006).

Unemployment, fragile economic opportunities, and other difficult situations, turn women, children and men into vulnerable groups. Naturally, these conditions enable certain organised crime groups in the country to operate, and demand the vigilant work of defence and legal structures to combat such violations of human rights. In 2005, only 13 organised crime groups which specialised in human trafficking and had close relations with transnational crime groups were defined. In comparison, 30 organized crime groups were defined in 2007 (Department on Struggle Against Human Traffic of the Ministry of Internal Affairs of the Republic of Azerbaijan).

From looking at the statistics of the number of children being sold for sexual or labour exploitation in Azerbaijan, it is clear that despite the increase in these crime groups, the prevalence of human trafficking is growing. Not only street children, but also many young people from poor families, are involved in this crime. Children in these situations become are commonly taken hostage by criminal groups and become victims of trafficking as they are used for prostitution, pornography, and cheap-labour services. Children are also trafficked by adoption agencies to be given to foreign families. From 2002 to 2003, 185 children from a Baku orphanage were adopted by families in the USA and Israel (Department on Struggle Against Human Traffic of the Ministry of Internal Affairs of the Republic of Azerbaijan). However, there is no further information on the quality of life of these adopted children. While it may seem that the prevalence of human trafficking is quite high, it should be recognised that the situation would be a lot worse in Azerbaijan without the current efforts of domestic NGOs to combat such criminal activities.

From a general perspective, the history of combating trafficking in Azerbaijan can be divided into three stages: the first stage took place from the 1990s through the beginning of 2002; the second stage started in the middle of 2002 and continued through the first quarter of 2005; the third stage started in the second quarter of 2005 and still continues today. It should be noted that the end of the third stage is still a long ways away because the fourth stage must be distinctly different in both its quantity and quality indicators.

The first stage is characterised by the acknowledgement of the existence of human trafficking by state officials under the strengthened pressure of civil society. During this time, it was detected that there were people who had become the victims of human trafficking as a result of believing the promises of fraudulent employment agencies. The International Office of Migration recognises 300 women who were taken to Turkey and the UAE with the purpose of sexual exploitation between 2000 and 2001 (Shattered Dreams, 2002).

The second stage is characterised by the commencement of legislative initiatives. In this period the parliament of the Republic ratified a number of important documents in regard to the field of human trafficking and started preparatory works to reflect the points coming from these international treaties in national legislation. At the same time, international and national non-governmental organisations started to work in conjunction with official bodies to prepare research programs, information campaigns, and the holding of joint events and cooperation in other fields. One of the best examples of a joint event was a roundtable discussion on the topic of “Women Migration: Legal Aspects and Problems” conducted in 2002 (Women Migration: Legal Aspects and Problems, 2002).

It was after this successful civil society initiative that official structures in Azerbaijan began to talk about addressing human trafficking to provide necessary aid to the actors of civil society.

In the third and current stage the government started to identify both human trafficking crime activities, as well as their victims, in order to effectively organize education and awareness programs. During this period, however, all of these education activities were carried out by civil society. As a result, NGOs that specialise in combating human trafficking have refused to cooperate with actors of civil society and have therefore ceased to work for the cause. Without the support of NGOs, victims of human trafficking who have participated in initial investigations and judicial examinations have not been provided with a detailed explanation of their rights by the investigations authorities. The failure to protect these victim during investigations, the increasing number of women being trafficked, and the fact that the perpetrators were not held liable, all demonstrate the unsatisfactory method by which current practices are being carried out (Azerbaijan: Migrants and Migration, 2006).

In any case, thanks to the number of NGOs dealing with human trafficking on local, regional and international levels, the number of awareness campaigns against human trafficking is increasing exponentially. These Azerbaijani NGOs primarily focus on detecting victims of human trafficking, conducting rehabilitation and consultation activities, assisting in developing the capacity of legislation on human trafficking legislation, and strengthening the capacity of civil society to combat trafficking by establishing different coalition structures and coordination points. However, these efforts still fall short of what is needed. The reason for this shortage is that although many important aspects of trafficking are being addressed, there are still only twelve NGOs that focus on human trafficking within Azerbaijan. These twelve established NGOs can be divided into three groups according to their specialisation in the field. The first group includes the organisation which combats trafficking at the theory research level. The second group includes practical organisations at the operational level. The third group includes the organisation has a coalitional structure and coordination council, and therefore does not focus on just one institutional structure (Allakhveranov, 2001).

Action against human trafficking is conducted in different countries around the world through several methods. The effectiveness of the activities against human trafficking depends on the algorithm of the action, many of which have been integrated into international essays on combating human trafficking.

The first component of the algorithm discusses the existence of a developed legislation base. However, the most important aspect in the document is the law on “combating against human trafficking in Azerbaijan.” Furthermore, the Azerbaijani government has adopted many laws on the provision of human rights, particularly those of women and children. For example, Article 106 (Slavery), Article 137 (Purchase and sale of human organs and tissues), Article 144-1 (Human traffic), Article 144-2 (Forced labour), Article 150-1 (Transportation of undocumented passengers), Article 171 (Involvement of the underage to prostitution or acts of licentiousness), Article 224 (Maintaining brothels), Article 316-1 (Dissemination of confidential information about victim of human traffic), and other articles and normative acts have given a base to combat against human trafficking. But, there are a lot of faults in the efforts of the government which have counteracted positive work against human trafficking. The Officer of the Administration on Crime and Terrorism stressed in his speech that his administration was unable to stop human trafficking happening in massage salons, saunas, and night bars because of complications about investigations within private organisations (Myasnikova, 2006). As a result of this flaw in the legislation, it remains unclear how human trafficking in these areas will be addressed. The owner, who gains monetary benefits from the illegal activity, the customer, who pays for the illegal services, and the victim of human trafficking, who is under permanent control and pressure, all, however, are forced into silence.

The second component focuses on a systematic approach in the combating of human trafficking which has been integrated into the state program. In light of this, the President of the Azerbaijan Republic approved the “National Action Plan on the Struggle against Human Trafficking” on May 6, 2004. This document includes the main elements of the actions to be realised by state structures in close cooperation of civil society. The combating of trafficking activities in Azerbaijan, according to this document included concrete exercises in three defined directions: the persecution of traffickers, protection of human trafficking victims, and the prevention of this crime. In essence, this document provided a long-term plan which strategically spans different objectives in the field of human trafficking. However, this document does not reflect the elimination of strategically important socio-economic issues which lead to human trafficking, namely poverty and other factors that lead people to accept risky and less-desired jobs.

The third component focuses on the establishment of the official structure in the field of action against human trafficking. This structure was the Department on Struggle against Human Traffic, under the direct command of the Head Office of the Ministry of Internal Affairs (MIA) of the Azerbaijan Republic on the Struggle Against Organized Crime, which was established on June 4, 2004. This structure is a specialised body that secures the prevention of human trafficking, protection of its victims, and the defence of human and civil rights and freedoms from criminal attempts in accordance with the Constitution and Laws of Azerbaijan Republic and the signed international agreements.

The fourth component focuses on the interaction between NGOs and the appropriate governmental structures. It is very important to highlight that the situation in this field is not very good. The point is that the NGOs working on human trafficking are launching different projects with the financial assistance provided by donor organisations. But these projects are not long-termed or large-scaled, and they therefore cannot address human trafficking on all levels of the spectrum of counteraction. International experience shows that the long-term projects and programs launched with the financial support of the government and special state structures are more effective. However, this atmosphere of close cooperation in Azerbaijan only exists in the form of seminars, roundtable discussions, and meetings that are held with participating NGOs. But these events are not enough to implement the much needed long-term strategy.

It seems that the most effective methods by which to combat human trafficking are at the state level, but involve civil society and the use of its institutional structures at both the theoretical and practical levels. Other important aspects of an effective strategy are the raising of public awareness by directing the attention of mass media to human trafficking, the strengthening of the network of specialists from state structures and civil society institutions that deal with supporting and assisting human trafficking victims, the conduct of research in the field of trafficking and preparation of scientific and methodical manuals by taking into account of local specificity and their constant evaluation, and the improvement of migration legislation. Despite how overwhelming it might be to address each of these aspects of human trafficking, it is not too late for Azerbaijan to address many of these concerns. In order to do so, however, Azerbaijan must continue to address human trafficking through local, state, and international organisations in order to implement necessary and effective joint programs. To this end, it seems possible to find a solution to the problems of human trafficking simply through focusing on developing these cooperative relations.

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Labour Migration From Kyrgyzstan To Russia And Kazakhstan: Human Rights And Security Challenges

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Country Profile: KYRGYZSTAN

Kyrgyzstan is a Central Asian country bordering Kazakhstan, China, Uzbekistan, and Tajikistan; it has a total area of 198,500 square kilometers, of which 7,100 square kilometers is water. Kyrgyzstan declared its independence on August 31, 1991. The Kyrgyz population numbers more than 5 million. In 2000 Kyrgyzstan's labour force was estimated at 2.7 million; 55% of those working were employed in agriculture, 30% in services, and 15% in industry. In 2004 the official rate of unemployment was 18% (17), and now, in 2008, almost 11% of the economically-able population is reported as unemployed (37)—although such estimates of unemployment are likely inaccurate because many people are unregistered, and because many people are simply underemployed (not unemployed). In 2006 GDP was \$2.8 billion and GDP per capita \$536 (25). In 2005, 43.1% of the population lived below the poverty line, and in 2006, 39.9% lived below the poverty line. Almost half of those people living in rural communities (47.7%) were below the line, compared with 26.7% of the urban population. In 2006, 9.1% of the entire population lived below the extreme poverty line (23).

Introduction

Migration today takes many different forms and involves many different categories of people, such as labour migrants, asylum seekers, refugees, victims of trafficking, and others. Among the different forms of migration, labour migration has emerged as one of the most critical social and economic issues in the era of globalisation, constantly strengthened by 'push' and 'pull' pressures. Every day the impact of labour migration is becoming greater; according to ILO (2004), IOM, and UN estimates for 2000, out of a total of nearly 175 million international migrants, approximately 81 million are migrant workers, of which 5.4 million are in Africa, 22.1 million are in Asia, 27.5 million are in Europe, 2.5 million are in Latin America and the Caribbean, 20.5 million are in North America and 2.9 million are in Oceania (pp.6-7). Almost all countries today are affected by international labour migration as origin, transit or destination countries. Especially in the past decade, labour migration has moved to the top of the policy agenda of many countries, including the Commonwealth of Independent States (CIS).

Today, Kyrgyzstan, as a member of the global international order, also experiences labour migration as well as its positive and negative impact in the globalising world. The Kyrgyz Republic is a 'sending' country (it sends away its labour force), and at this stage its main strategic partners ('receiving' countries) in the CIS are Russia and Kazakhstan. This main labour out-flow from Kyrgyzstan is characterised by irregular (illegal) migration, which brings along with it socio-economic and legal problems, as well as problems of human rights and security challenges. This study will deal with the topic of Kyrgyz labour migration from two perspectives, that of migrant workers' rights and that of the security challenges involved. It will focus on the main problems faced by Kyrgyz migrant workers in the Russian Federation and Kazakhstan and also highlight the main initiatives taken by governments in recent years to manage migration in the interests of protecting migrant workers' rights and their own country's security.

Labour Migration as a New Social Phenomenon in Post-Soviet Kyrgyzstan

According to the IOM, labour migration is the "movement of persons from their home State to another State for the purpose of employment" (Library of Congress-Federal Research Division, 2007, p.38). Based on this definition, labour migration is virtually synonymous with external migration, a process which occurs between states and which has become one of the important and pressing questions today, both in theory and practice.

Internal (intra-state) labour migration has long occurred in all countries, socialist as well as capitalist. Yet, external migration has not; in fact, in publications of the Soviet Union, external labour migration was not even acknowledged as possible because migration was only considered from the Marxist-Leninist point of view. For example, the Polish scientist A. Marianskiy (1969) wrote that interstate migrations were caused by economic factors occurring only in capitalist countries, and that interstate migrations had only existed since industrial capitalism began to develop and a demand arose for a labour force from less economically-developed countries (p. 81). In addition to exemplifying the Marxist view of labour migration, Marianskiy's example shows that external labour migration (as one of the types of a population's migration) has been urgently investigated by scientists since at least the end of the 19th century. In spite of the fact that during the Soviet period migration within its republics' borders was typical, today's labour migration from Kyrgyzstan developed its modern form, peculiarities and tendencies only after the collapse of the Soviet Union and was caused by a number of objective and subjective factors.

During the Soviet period, the social state system rigidly established the centralisation of the entire power system, and the concept of self-determination was virtually non-existent; because of this, the Kyrgyz Soviet Republic could not go far beyond the fixed limits of the Soviet-mandated economy, budget, policy, and ideology (Кыргызстан: Энциклопедия. Б, 2001, p. 9). Because every action taken by the Kyrgyz Republic was controlled by (and could not be accomplished without approval from) Moscow, the Kyrgyz Republic did not have opportunity to foster interrelation and integration with other countries based on its own interests independently of the Soviet centre.

On August 31, 1991, the Kyrgyz Republic declared its independence, in short time it elected its first president, and, on May 5, 1993, it adopted the Kyrgyz Constitution: finally, the Kyrgyz nation had achieved the right and responsibility to determine its own fate and integrate with the other nations of the world. After declaring its independence, Kyrgyzstan was recognized almost immediately by most nations, and by 1993, the newly-independent country had been recognised by 120 nations and had developed diplomatic relations with 61 of them (Alternative Report to CEDAW Committee, 2004, pp. 26-27). Thus, the Kyrgyz Republic stepped into a new historical period in the early 1990s, transiting from a centralised-planned economy to a market system.

Actually, this transition period was quite long and complex. After independence, the country's production level decreased sharply, the economy did not sustain even moderate growth, and as a consequence, a widespread and prolonged period of increased poverty set in. According to a World Bank report, the poverty level reached its peak (55.3%) in 1998-1999 (World Bank Report No: 24638-KG,, p.34). The consequences of structural reforms and transformations carried out during the transition period were plagued by problems and difficulties due to the reformers' lack of experience and knowledge, which led to a general worsening of the country's social and economic conditions, a reduction of living standards, and an increase in the levels of poverty and unemployment. In such a desperate situation, every Kyrgyz person tried to escape the conditions of poverty and find a better life as he or she could, and consequently, hundreds of thousands people left the Kyrgyz Republic to find jobs (or better jobs) and to increase their standard of living. As a result, in the last decade, labour migration from the Kyrgyz Republic has become a new large-scale social phenomenon as well as a spontaneous and unregulated process.

The Main Strategic Partners of the Kyrgyz Republic in the Sphere of Labour Migration: Russia and Kazakhstan

Today, the majority of Kyrgyz migrant workers abroad work in Russia and Kazakhstan. Kazakhstan is the world's ninth-leading country in terms of the numbers of migrants it receives (Ivakhnyk, 2006),

and it also receives the second most Kyrgyz migrant workers of any state in the CIS, after the Russian Federation.

The intensive migratory out-flow from post-soviet Kyrgyzstan is influenced by a number of complex factors—economic, demographic, political, social and other. ‘Push’ factors such as poverty, low standards of living and unemployment spur Kyrgyz people to leave their home country, but many attractive ‘pull’ factors motivate Kyrgyz migrants to work abroad in Russia and Kazakhstan as well, including large-scale economies, higher standards of living, job opportunities, and the rapid economic growth in these countries (see Table 1 below). For example, according to IMF estimates, the 2007 per capita GDP in Russia and Kazakhstan was \$8,611.67 US and \$6,313.93 US, respectively, while in the Kyrgyz Republic it was only \$662.91 US. In addition, as studies have shown, Kyrgyz unskilled labour migrants in Russia can earn on average \$500 US a month (but up to \$1000 US a month if they work in the construction sector) (www.24.kg) while in Kazakhstan they can earn about \$175 US (www.regnum.ru).

Table 1. GDP Per Capita (In Current Prices), Units: US Dollars

Country	2004	2005	2006	2007	2008	Estimates Start After
Russia	4,104.44	5,324.52	6,897.23	8,611.67	10,467.50	2006
Kazakhstan	2,862.50	3,785.56	5,362.69	6,313.93	7,329.67	2004
Kyrgyzstan	435.173	477.391	541.993	662.919	764.78	2006

Source: International Monetary Fund, World Economic Outlook Database, October 2007

Several other economic factors external to Kyrgyzstan have influenced Kyrgyz emigration. In contrast to the bleak economic situation in Kyrgyzstan, Russia and Kazakhstan have recently experienced increasing economic growth and have had a growing demand for labourers in the developing sectors of their economy. For instance, since 2000 the construction industry in Kazakhstan has sought a labour force to develop a new oil and gas infrastructure and to build the new capital city at Astana (Singh, 2003). It is estimated that the construction sector in Kazakhstan currently demands about 25,000 workers while the agricultural sector demands up to 100,000 people (www.zakon.kz). As it is often stated, ‘Where there is demand, there is supply,’ and Kyrgyz workers are ready to work. As practice shows, the Russian and Kazakh demand for a developing labour force will only grow in the near future, and the emigration of labourers from former Soviet republics such as Kyrgyzstan can be considered optimal for both the sending and receiving countries.

Another factor influencing Kyrgyz emigration is the porosity (transparency) of borders between former Soviet countries, and in particular, the potential for visa-free movement of Kyrgyz within the former Soviet Union.

Most of the factors and determinants that promote labour migration in the Kyrgyz Republic can be observed in almost all of the CIS countries, which share the following characteristics: historical ties; geographical proximity, the porosity of borders (visa-free movement); a common transport infrastructure; psychologically easy migration (due to language similarities and the fact that the CIS was formerly a common territory); demographic complementarity; mutual interest in a common labour market; large-scale irregular migration; and regional cooperation aimed at coordinated migration management (www2.ohchr.org).

The social phenomenon of the Kyrgyz labour migration itself is not unprecedented nor is it without parallel in the world. In many industrial countries, such as France, Belgium, America and others, a labour force from abroad augments and strengthens many sectors of the economy; for instance, in America, intellectual immigration provides specialists in the sphere of mathematics, especially in the computer sciences (Авдокушин Е.Ф, 1999). In the context of Kyrgyzstan, most labour migrants have low professional qualifications, and they ultimately find work doing construction and repairs or engaging in the 'shuttle trade.' However, there has recently been a trend of more professionalised Kyrgyz labour migration, as medical workers <http://www.pr.kg> and computer technology specialists have migrated to Kazakhstan (Russian Public Opinion Research Center) The extremely low salaries of doctors working in Kyrgyzstan can be considered the main motivation for their migration to Kazakhstan, along with the fact that Kazakhstan itself has a demand for medical workers and welcomes such highly-skilled Kyrgyz migrants.

The Human Rights and Security Challenges of Kyrgyz Labour Migrants in Russia and Kazakhstan

According to different sources, the number of Kyrgyz labour migrants currently working abroad varies from 500,000 to 1.2 million—quite a large number for a country with a population of just over 5 million people. The number of registered Kyrgyz labour migrants working in Russia was 1,700 in 2001 and 6,400 in 2002 (www.24.kg). According to Y. Ermolaev, the head of the Ministry of Internal Affairs of the Russian Federation on Migration Affairs, there are about 300,000 Kyrgyz citizens working in Russia, 90% of whom are illegal workers and 70-80% of whom work in markets. Other unofficial data put the number of Kyrgyz migrant workers in Russia at about 500,000 people (demoscope.ru).

The number of Kyrgyz migrants working in Kazakhstan varies in different seasons and according to different sources. According to an evaluation by Kazakh experts, in 2001 in the Alma-Ata and Djambul regions there were about 50,000 irregular labour migrants from Kyrgyzstan who were working in agriculture, manufacturing, construction, and petty commerce (markets); at the same time, Kyrgyz experts proposed that there were only 10,000 irregular Kyrgyz migrants in these regions of Kazakhstan («Желанный мигрант», Газета «Слово Кыргызстана». 28 Ноябрь 2006). In 2002 only 18 Kyrgyz citizens were officially employed in Kazakhstan, according to the Statistical Committee of the CIS (Статистика СНГ, 2003, p. 58). The Embassy of the Kyrgyz Republic in Kazakhstan estimated that the number of Kyrgyz migrants in 2003 and 2004 was 80-120,000 and 40-100,000, respectively, varying in peak and off-peak seasons (Европейская Комиссия Международная организация по миграции Трудовая миграция в странах Центральной Азии, 2005, p.29). The number of regular Kyrgyz migrants who were employed legally in 2004 was 2,300 people, most of whom were employed in agricultural works (tobacco plantations) by Kyrgyz firms after getting permission in 2003 (Ibid, p.29). The most recent data about Kyrgyz migrants in Kazakhstan put the number of Kyrgyz migrants at anywhere from 40,000 to 100,000 (often Kyrgyz are seasonal workers who come and leave every year to work in the agricultural sector or to do business) (www.zakon.kz).

In general, we can say that there is no accurate way of numbering the Kyrgyz migrants working in Russia and Kazakhstan; the numbers of migrant workers differ in various sources and seasons. Regardless, because the majority of the Kyrgyz labour force is characterized by large-scale irregular migration, it brings with it many problems of various natures.

In many cases of irregular migration, migrants are not completely at fault. According to surveys, more than half of all Kyrgyz migrants obtain information about employment from their relatives and friends (El-Pikir), and the main initial sources of specific information about employment in Kazakhstan are usually unofficial informants, including friends, relatives and acquaintances, who have already worked in Kazakhstan (Expert) (demoscope.ru ; www.regnum.ru). These migrants likely do not

understand that what they are doing is illegal, nor do they understand the consequences of their actions, due to being legally uninformed.

In the IOM glossary, the term ‘irregular migrant’ is defined as “someone who, owing to illegal entry or the expiry of his or her visa, lacks legal status in a transit or host country; the term applies to migrants who infringe a country’s admission rules and any other person not authorised to remain in the host country (also called clandestine/illegal/undocumented migrant or migrant in an irregular situation)”; however, as the IOM glossary continues, there is “a tendency to restrict the use of the term ‘illegal migration’ to cases of smuggling of migrants and trafficking in persons” (Library of Congress-Federal Research Division, 2007, pp. 34-35).

The problem of human trafficking has touched many Kyrgyz people; today, they often become victims of human traffickers as they search for jobs or better jobs. In August 2003, 1000 Kyrgyz migrants who had been enslaved on tobacco plantations in Kazakhstan signed a letter and sent it to the Ombudsmen of the Kyrgyz Republic. One of the enslaved migrants recounted that the women working on the plantation were subjected to sexual solicitation and suffered violence at the hands of their employers (www.24.kg). According to the Deputy Head of the State Committee on Employment and Migration of the Kyrgyz Republic, since the beginning of 2007, Kyrgyzstan law enforcement bodies have returned 32 victims of human trafficking to Kyrgyzstan, including six people from Kazakhstan (three of whom were under age), 16 from Turkey, and 10 from the United Arab Emirates (all of whom were employed in the sex trade) (www.24.kg). Also, in 2006, 10 criminal cases against human traffickers were commenced by the State Committee of National Security of the Kyrgyz Republic, and 15 Kyrgyz citizens involved in the trafficking their compatriots abroad were condemned (Ibid.). The national coordinator of the IOM in the Kyrgyz Republic believes that each year about 5000 people in the country become victims of human trafficking (www.24.kg).

These examples show that the problem of human trafficking exists in Kyrgyzstan, and that it is becoming a serious concern. Newspapers often write about the cases of human trafficking, about how Kyrgyz labourers become slaves in their search for jobs, but many people still continue to become victims of trafficking. We can say that one of the main factors underlying this problem is the Kyrgyz people’s lack of sufficient information, including information about the risk of irregular migration. For instance, according to the study (Expert), almost 90% of Kyrgyz migrants have never heard about organisations dealing with the problems of Kyrgyz citizens in Kazakhstan, and about one third of Kyrgyz migrants have never seen informative documents about the rights and risks of people coming to work to Kazakhstan (www.regnum.ru). Thus, in many cases, the Kyrgyz people become victims due to lack of knowledge and information about regulatory laws, migratory procedures and norms, and their own rights, and due to their own, inherently trustful mentality. Moreover, when they are the victims of human rights violations, Kyrgyz people often do not know how and to whom they should ask for help.

The irregular position of migrants has a negative effect on the economies of both Kyrgyzstan and the various receiving countries, it has a negative effect on the security and safety of both Kyrgyzstan and the receiving countries, and finally it has a negative social effect on the migrants themselves, since, as illegal workers, they do not have an opportunity to defend their rights nor do they have access to social services.

Initially, most of the Kyrgyz labourers who migrated to Russia and Kazakhstan crossed the border legally because of the provision for mutual visa-free movement between Byelorussia, Kazakhstan, the Kyrgyz Republic, the Russian Federation and Tajikistan, guaranteed by an international agreement accepted on November 30, 2000, in Minsk (Европейская Комиссия Международная организация

по миграции Трудовая миграция в странах Центральной Азии, 2005, p. 21). However, due to continuing problems and difficulties in Kyrgyzstan, many Kyrgyz migrants have overstayed their welcome in foreign countries in order to find work, infringing upon these countries' admission rules and becoming irregular migrants.

The results of an independent investigation done by correspondents of a Russian newspaper revealed that the application process for migratory cards is such an anxious, humiliating, labour-intensive and difficult process that the majority of migrants end up giving considerable amounts of money to disreputable intermediary firms promising to provide authentic documents, and in fact, for many would-be migrants, the only way to get registration and a migratory card is to buy it from an insider in Moscow (Ивженко Т., Байкова Е., 2003).

According to another study (Djamangulov), there are three basic illegal actions committed by irregular workers in the Russian Federation: 1) crossing the border illegally, 2) living illegally and 3) working illegally. In addition, there are three basic violations which may lead to the third action (working illegally): a) the migrant does not follow set rules regarding the employment of foreign workers, b) the employer and/or customer of the service does not follow these rules, and c) an employer does not exist at all (Джамангулов К. Э, 2005., pp. 213-224).

One of the main problems labour migrants face (which often forces them to become irregular) is difficulty in registration. Yet, recently the situation has improved. On January 15, 2007, the Russian Federation adopted new migratory legislation which simplifies the regulation of irregular migrants, provides elementary safety to labour migrants and creates a standard for working conditions. Kyrgyz migrants have also recently become more conscious of the migratory laws of the Russian Federation (Ibid, p. 213-224). Because of these developments, today about 171,000 Kyrgyz migrants — more than half the total number of Kyrgyz migrants working in the Russian Federation— have legalised their work, according to Aigul Ryskulova, Head of the State Department on Migration and Employment of the Kyrgyz Republic (Золотницкая К., 2008).

Similarly, a more effective migration policy has recently been enacted between Kazakhstan and Kyrgyzstan. In June 2006, an agreement was signed in the hopes of regulating the migratory processes between the two countries. Addressing labour activity and the protection of migrants' rights, this agreement simplified the employment of Kyrgyz citizens in Kazakhstan. Thus, the state-participants of the labour migration process are now taking measures to establish effective migration policy; however, the facts show that there are still many problems inherent in this process. There are still many Kyrgyz migrants who are irregular, and even those Kyrgyz migrants working legally today still face some problems with regard to their human rights and security.

Illegal (irregular) migrants are totally deprived of their rights and are completely at their employer's mercy, according to Svetlana Gannushkina, the chairman of the Civil Cooperation Committee (www.dw-world.de).

It is obvious that under such conditions migrants live in fear and cannot stand up for themselves if there is a problem. Recently, a Russian newspaper published a story about a Kyrgyz migrant woman working illegally as a charwoman and gardener in Russia; it reported about how her newborn child died in the basement of one of the affluent houses in which she worked because, when she began to give birth, she was not taken to a hospital and rendered medical services in time (www.rambler.ru).

In Article 28 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, it is written that: "Migrant workers and members of their families

shall have the right to receive any medical care that is urgently required for the preservation of their life or the avoidance of irreparable harm to their health on the basis of equality of treatment with nationals of the State concerned. Such emergency medical care shall not be refused them by reason of any irregularity with regard to stay or employment” (www2.ohchr.org). Although, in the above-mentioned case, the Kyrgyz migrant woman should have been able to use her rights to get medical treatment (considering she ‘urgently required’ a hospital ‘for the preservation of her life’), she was not able to. There is a legitimate suspicion that the woman in this case died because relevant parties did not fear any legal or other consequences if they were negligent.

Irregular migration caused by inefficient migratory policy and regulation, along with its attendant social and economic problems (such as the expansion of a ‘shadow economy’) may lead to widespread social tension and hostility (Krassinets, p. 17). For instance, according to Garaev and Mamedov, an insufficiently-regulated flow of foreign migrants and inefficient migration processes could increasingly aggravate interethnic relations in multinational Russia, given the fact that 50% of people polled in the Russian Federation do not welcome the immigration process and 10% of the people consider it necessary to close the borders of their country completely (www.irs-az.com). It is reasonable to assume that the unadjusted migration policies and imperfect laws of Russia and other states participating in the migratory process could lead to a number of complex socio-economic problems in those countries.

Today, newspapers often write about increasing xenophobia over the past few years, and in fact, this xenophobia is real, and it has affected Kyrgyz migrants. For instance, in 2004, 44 Kyrgyz labourers became victims of Russian skinheads, and in 2005 more than 20 Kyrgyz were victimized by Russian skinheads («Откуда берутся скинхеды? И существуют ли они вообще?». (2008, February 18) Fergana.Ru; Владимирова Л. «За синей птицей в никуда.» Газета “Слово Кыргызстана”. Бишкек, № 88, 2005) Since 2005, more than 45 Kyrgyz citizens have been killed and more than 2,800 crimes have been committed against Kyrgyz citizens living and working in the Russian Federation (www.24.kg). According to official data given by the State Committee on Migration and Employment of the Kyrgyz Republic, 117 citizens of Kyrgyzstan were lost in Russia in 2007; according to the Kyrgyz association “Zamandash,” the number was closer to 350 (www.24.kg). Just since the beginning of 2008, 7 Kyrgyz citizens under the age of 30 have been murdered in Moscow and St. Petersburg, as the Embassy of the Kyrgyz Republic in Russia has confirmed (www.expert.kg). These data suggest that cases of violent xenophobia are increasing year after year, threatening to become a problem of utmost seriousness.

It is difficult to list the particular reasons why many young Russians have such negative feelings towards foreigners and why the instances of xenophobic violence are increasing; it is also sometimes difficult to assign a person’s motive in committing a crime specifically to xenophobia over some other cause. In addition, according to the IOM, “at the international level, no universally accepted definition of xenophobia exists, though it can be described as attitudes, prejudices and behaviour that reject, exclude and often vilify persons, based on the perception that they are outsiders or foreigners to the community, society or national identity. There is a close link between racism and xenophobia, two terms that are hard to differentiate from each other.” Despite the lack of a universally accepted definition, xenophobia can be explained in the context of Kyrgyz migrants in Russia.

According to Valeriy Fedorov, the Director of the Russian Public Opinion Research Centre, there are two main reasons why Russian people have a negative attitude toward immigrants, and both reasons stem from fear. First, Russians fear economic competition from immigrants, who ask for very little remuneration for the work they do. Second, Russians fear that immigrants will begin to establish their own unusual, incomprehensible rules in Russia (www.gazeta.kg).

It is not only the Russian people who are to blame for increased xenophobic violence. According to Svetlana Gannushkina, the chairwoman of the Civil Cooperation Committee, the Russian state is also responsible for the growing levels of violent xenophobia in Russia because it refuses to recognise the problem. She argues that any time an ethnic hate crime is committed (be it assault or murder), the states attributes the crime not to interethnic hatred, but to “personal hostility,” and she wonders how there can be any personal hostility if the criminal perpetrator has never seen the victim before (www.dw-world.de).

Different academics, military experts, and government officials have different emphases when it comes to the problem of xenophobia (demoscope.ru). As discussed above, some focus on the fact that xenophobia is tacitly supported by the Russian government, state-run mass media, and state officials while others focus on the relationship between Russian youth nationalism and the problems of education. Others believe that an organised movement of ‘skinheads’ in Moscow does not exist and that, for example, the people who recently attacked Asian immigrants in Russia did not do so because they hated Asians per se but because Asians had taken away their jobs. To many, a significant part of the blame for xenophobia falls on the migrants themselves. According to the leader of one interregional public organisation, the initial reasons that Kyrgyz migrants are attacked include ignorance of Russian language, Russian laws, and the moral and cultural norms of society, all of which irritate Russian people ([http://www.kz-today.kz/...](http://www.kz-today.kz/)). Whether these grievances are valid or not, the people who attack Kyrgyz migrants must be punished and the states must actively work to solve this problem because no one, however much aggrieved, has the right to harm or take the life of another person.

Xenophobic violence has become a serious concern not only of migrants, but of states, too, and the problem has been addressed at the interstate level. The Embassy of the Kyrgyz Republic in Moscow directed an official note to the Ministry of Foreign Affairs, the Ministry of Internal Affairs and the State Office of the Public Prosecutor of Russia in connection with the ethnic hate crimes (murders) that have taken place. The note expressed serious concern and deep regret regarding the increase of such crimes directed at Kyrgyz citizens and other foreigners in the Russian Federation, and it requested that Russia begin to prosecute ethnic/national hate crimes and strictly punish all guilty parties as soon as possible. In addition, the Kyrgyz Embassy suggested that the law enforcement and judicial bodies of the Russian Federation “lead urgently preventive maintenance and toughen measures on punishment of crimes subject to national intolerance” (Information Agency “24.kg”, Feb. 4, 2008). This issue was put onto the agenda of the Parliament of the Kyrgyz Republic as well.

The ex-President of the Russian Federation touched upon the issue of ethnic intolerance and xenophobia when he spoke at the unofficial meeting of Presidents of CIS countries in Moscow on February 22, 2008, and he assured everyone that Russia would take all necessary actions to solve these problems (www.1news.az). This was a positive response to a serious concern, and it represents an important step towards a solution.

The countervailing problems of human rights and security in the context of Kyrgyz labourers in Kazakhstan were analysed by the European Commission on Migration Organization and its finding were published in 2005 (Европейская Комиссия Международная организация по миграции Трудовая миграция в странах Центральной Азии, 2005, p. 23). According to the Commission, irregular labour migrants in the region suffer severe exploitation because of low salaries, live in bad conditions, and quite often become objects of hostility resented by the local population, which sees them as competitors in a struggle for the same jobs. However, as the Commission also pointed out, the living conditions of labour migrants differ greatly depending on the sphere of their employment. According to the results of our FGD, high-qualified specialists (medical workers, in particular) have

appropriate working conditions, earn more money, and are more respected and welcome in their workplaces.

As was mentioned above, Kyrgyz migrants in Russia and Kazakhstan mainly work at unskilled jobs. According to official data, 28-30% of Kyrgyz labour migrants in the Russian Federation are employed in industry and construction, and 24% work in trade, and while in the past basically-skilled personnel moved to Russia to work, now completely unskilled graduates are moving there (Золотницкая, К., 2008). Thus, we may conclude that the majority of Kyrgyz migrants working abroad are not competitive in the workplace because they are so lowly-qualified. In addition, Kyrgyz workers get paid less than other workers and their working hours are not normal: for instance, the average Kyrgyz migrant works 10.83 hours per day, with the longest working day in the sector of agriculture and construction (12.3-12.4 hours/day), followed by the trade sector (10-11 hours/day), and then public services (8 hours/day) (demoscope.ru).

It is obvious that irregular migration leads to many problems; however, in many cases, problems arise even when labourers are regular migrant workers. For instance, IRIN News reported that, even when their documents are in order, migrants in Moscow are often stopped by the police, who demand bribes (some \$4-\$7.50 US) to let them go (www.irinnews.org). Because migrants cannot walk the streets freely and are often stopped by police, they effectively suffer from movement restrictions in Russia even when they are 'legal.' In Kazakhstan, the situation is better; only those migrants whose documents are incorrect cannot walk freely outside of their workplace, and in a recent survey, only 20% of respondents stated that they feel their movement is constrained in the city where they work (www.regnum.ru).

Conclusion

In conclusion, we can say that labour migration as a social phenomenon yields many problems along with many benefits. Aside from socio-economics (salary, working and living conditions), the main problems that Kyrgyz migrants face are related to human rights and security challenges, caused mainly by irregular migration. Many factors cause irregular migration, such as a lack of relevant information and the difficulties that migrants have in registering for work, and all of these factors are problematic. However, not all problems are related to irregular migration: regular migrants also face problems, such as rising xenophobia and skinhead violence. In order to counteract the negative attitude toward Kyrgyz and other migrants that are prevalent in receiving countries, we should create a positive profile of labour migrants by highlighting the contributions of conscious, responsible and respectful migrants to their host countries.

Today, the government of the Kyrgyz Republic, a sending country, is taking all possible measures to regulate this process; as mentioned above, a number of laws and agreements between Kyrgyzstan, Russia and Kazakhstan have recently been adopted and signed. At the same time, Kyrgyz civil society is also helping Kyrgyz migrants; in particular, the Kyrgyz Diaspora association "Zamandash" (2003) is working in 22 Russian cities and three cities of Kazakhstan to support Kyrgyz citizens working abroad and to help protect the human rights and interests of labour migrants.

Labour migration has emerged as a new process and social phenomenon only in the last decade, and Kyrgyzstan has faced many problems during this time period since the government did not have any experience with migration policy before the fall of the Soviet Union. Yet, today the government of the Kyrgyz Republic is taking many measures and actions aimed at regulating migration — and it is doing so in coordination with other affected countries— since only close cooperation, mutual understanding and the appropriate treatment of labour migrants will lead to the effective regulation of this process for the benefit of all.

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**One Example of the Migratory Processes of Europeans in Central Asia:
The Germans of Uzbekistan**

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The migratory processes occurring throughout Central Asia over the millennia have increased the numbers of different ethnic groups and changed the ethnic structure of the region. The ancestors of one person arrived in Central Asia as traders moving along the Silk Road, the ancestors of a second person settled in the region during a period of conquest, the ancestors of a third person were violently brought into the region from a subdued foreign country. Many different ethnic groups, including Uzbeks, Tadjiks, Kazakhs, Turkmen, Kirghiz, Persians, and Turks, came to settle in Central Asia/Turkestan. The ethnic structure of Turkestan particularly changed when it became incorporated into the Russian Empire. In fact, the period of imperial Russian and later Soviet colonisation represents a unique form of ethnic minority population transfer, in which not only did people from different ethnic groups migrate to a region in search of a better life, earnings, or technical possibilities, but a whole group of people were forced to move into a territory and then chose to remain there to live, having found and established a home.

Because it had overtaken Central Asia, the Russian Empire controlled the region's migratory and border control policies, and it was able to open the region not only to Russians, but also to citizen's European peoples residing in other parts of the Russian Empire, including Germans, Poles, Latvians, and Lithuanians. While the Russian authorities in Central Asia as a whole were well-disposed to the Europeans and allowed them to migrate freely in order to find gainful employment, these European peoples did not have the right to come to Central Asia without documents and were subject to some travel and work sanctions and oversight.

In the early 20th century, the number of native Europeans living in Uzbekistan was slight compared with the almost 9 million indigenous people living there (it was even slight compared with the 400,000 resident Russians). By 1911, there were 8,000-8,500 Germans, 70 Brits (from England, Scotland, or Ireland), 60 Frenchmen, 50 Italians, 40 Czechs, 17 Austrians, 22 Swedes (of whom 4 were travelling missionaries), 21 Belgians, 16 Danes, 15 Norwegians, 10 Swiss, 3 Dutchmen, and 2 Spaniards (the number of Portuguese during the examined period is not available, and the number of Finns totalled no more than 25-30 people). As one can see, the prevailing minority among all Europeans was German, and as one might imagine, the German Diaspora was also the most far-flung in Central Asia. Today, Germans continue to live in Central Asia; most live in the territory of Kazakhstan, with smaller communities in Uzbekistan, Turkmenistan, Kyrgyzstan and Tajikistan.

The mass resettlement of Germans to Central Asia began in the 1860s, following the territorial gains of the Russian Imperial Army: Germans began to move to Central Asia from, and because of, Russia.

We have conditionally divided into four stages the period of German migration to the territories of Uzbekistan.

Stage 1: 1860 - 1922 was the period during which the Russian Empire had control of Central Asia, and during which Germans were resettled in order to serve the Imperial Army, work in government administration, and support the education system, sciences, public health services and economy of the region.

Stage 2: 1930 - 1955 were the early Soviet years, marked by collectivisation and mass reprisals and the partially compulsory resettlement of ex-army workers (and their families) in the region in order to meet the construction and industrial targets of the U.S.S.R.

Stage 3: 1972 - 1980 was a period characterised by a significant inflow of German migrants looking to restore family connections, secure employment and settle in a place with a more favourable climate than Kazakhstan.

Stage 4: 1987 - 1997 was a reversal of earlier migratory processes, marked by Germans' migration from Uzbekistan to Russia and Germany in order to restore family connections.

The nature of German resettlement in the Uzbek territories was for the most part voluntary. Some Germans settled while on a tour of military service; others settled because of commercial or professional opportunities (for example, to take jobs as teachers and doctors). Mennonites, a religious minority group in Russia, settled in Uzbekistan because they were promised religious freedom. However, there were also two violent resettlements.

The first violent resettlement of Germans was connected with the beginning of the First World War. In 1915, Russia passed a series of laws allowing for the eviction of all ethnic Germans from 'German-dominated' frontier areas (and the liquidation of all their property), and as a result, many ethnic German soldiers and refugees ended up in Uzbekistan. In September 1914, even before these laws were passed, the Russian Imperial Army had captured its first Austro-Hungarian and German soldiers and brought them to Tashkent. By June 1915 the Russian Army had captured more than 148,000 (Austro-Hungarian and German armies), including 350 civilians, and had arranged to billet them in 37 specially-constructed camps and barracks in the Uzbek territories. In addition, the Russian Army arrested some military-age German and Polish civilians, whom they had captured from enemy territory.

Many refugees were evacuated from Russia's western front and brought to Central Asia; they started appearing in June 1915, and by the end of year, they numbered no less than 70,000. Among these refugees were almost 8,000-10,000 Poles (including many Polish Jews), 1,500 Baltic peoples, and almost 4,000 Germans from the Volynsk and Kiev provinces. The Turkestan administration, weighed down with such a concentrated inflow of refugees, petitioned Russia for their expulsion. However, this request was never granted, and beginning in May 1916 the refugees settled in the Samara and Saratov provinces.

The second violent resettlement of Germans was connected with the beginning of the Second World War. The fascist Nazi Party, which came to power in Germany in the second half of the 1930s, was responsible for deporting many Germans from frontier areas into the heart of the Uzbek territories. In 1936, the government of Russia sent 15,000 German and Polish families from its western frontier areas and the Ukraine to Central Asia. As confirmed by researcher N.H.Knauer (1998), in 1939, 23,000 Germans lived in Uzbekistan, of whom 74% lived in urban areas and 71% considered German their native language.

In all of the territories controlled by the Russian Empire and, later, by the Soviet Union, Germans (along with other ethnic groups) contributed to the national economy, helped build science and culture, played rather appreciable roles in the state, and were law-abiding and respectable citizens. The most difficult existential period for ethnic Germans in USSR, including in Uzbekistan began in 1941, when they were identified with the fascist aggression of Nazi Germany and were subjected to collective national hatred. For some time, the words 'German' and 'fascist' became synonyms in the USSR territories.

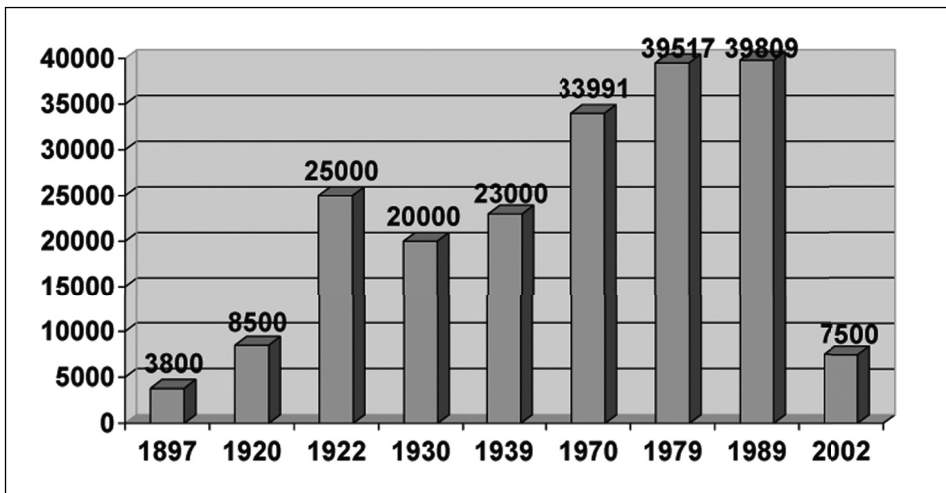
During the Second World War, many other people besides Germans were deported to different territories of the Soviet Union. As of January 1, 1954, there were 2,720,072 'special settlers' across all of the territories controlled by the Soviet Union, including 1,240,482 Germans (of whom 870,257 had recently moved), 324,319 Chechens, 165,629 Crimean Tatars, 83,598 Ingush, 81,246 Karmic, 64,818 Karachayevs, 33,883 Balkars, and 48,122 Turks.

In the late 1950s, the number of ethnic Germans in the U.S.S.R. began to increase. In Uzbekistan, as well as all across Central Asia, Germans had the highest birth rate: 70.7 % (compared to the 15% birth rate of ethnic Russians in the RSFSR). Between 1959 and 1970 the German population in Uzbekistan doubled to reach 33,991 persons (27,242 of whom lived in urban areas and 6,746 of whom lived in rural areas). In 1972, many Germans moved to Uzbekistan from neighbouring regions, mainly from Kazakhstan, when a travel interdiction was lifted, and by the late 1970s, the number of Germans in Uzbekistan had increased by four times in comparison to the pre-war population. By 1989, the German population in Uzbekistan was 39,809.

On January 1, 1987, the Uzbekistan government passed a law that allowed those ethnic Germans, who wished to reunite with their relatives in Germany to do so. Many Germans left, and the migration of ethnic Germans back to Germany peaked in the period between 1990 and 1997. After gaining independence from the Soviet Union in 1991, the new Uzbekistan government boosted the national consciousness of its people through education initiatives, and in addition the government helped to preserve national cultural traditions and promoted ethno-cultural self-organising. Currently, the indigenous Uzbek population and the remaining resident ethnic German population have warm, benevolent relations.

In the beginning of 1990 under the initiative of German Diaspora has been created the Cultural centre of Germans of Uzbekistan “Wiedergeburt”. Now, he successfully subjects of cultural development of Germans of Uzbekistan.

Numerical Changes in the German Population of Uzbekistan: 1897-2002¹



¹ Data about Number of the German population of Uzbekistan for 1920, 1922, 1930, 1939 are given from documents located at the central State Archive of the Republic of Uzbekistan, Funds 1, 94, 86 German Settlements in the USSR up to 1941. The Directory. M. 2002

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