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Selective Migration

An Analysis of the Impact of the 'Blue Card'

(Inside and Outside the EU)

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Declaration

I, Diana Manuelovna Franco hereby declare that this thesis, entitled "Selective Migration: An analysis of the Impact of the 'Blue Card' (Inside and Outside the EU)", submitted as partial requirement for the MA Programme Euroculture, is my own original work and expressed in my own words. Any use made within it of works of other authors in any form (e.g. ideas, figures, texts, tables, etc.) are properly acknowledged in the text as well as in the List of References.

I hereby also acknowledge that I was informed about the regulations pertaining to the assessment of the MA thesis Euroculture and about the general completion rules for the Master of Arts Programme Euroculture.

Signed

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List of Abbreviations

CEPS	Centre for European Policy Studies
EC	European Commission
EP	European Parliament
EU	European Union
GDN	Global Development Network
GDP	gross domestic product
ILO	International Labour Organisation
IOM	International Organisation for Migration
IPPR	Institute for Public Policy Research
MPI	Migration Policy Institute
NGOs	Non-governmental organisation
OECD	Organisation for Economic Co-operation and Development
SEA	Single European Act
TCN	third-country national
UN	United Nations
US	United States
UNDP	United Nations Development Programme
WTO	World Trade Organisation

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1. Introduction

Since the 1990s, EU competencies have developed rapidly in the areas of migration and asylum but have been far less able to develop regulatory competencies for labour migration from outside the EU. The only migration concerns the EU had before the Maastricht Treaty, in 1992, were the movement of EU citizens for economic purposes. Now, the European Union has been prompted in developing new policies to approach International migration in the same way. How can these actions from the EU be understood? Why is it time to have a different approach on migration?

Migration is being shaped by multiple pull and push factors. The economic development and its disparities, population trends, access to information, and the ease to travel today, armed conflicts and human rights violations among others, are changing the migratory behaviour. Therefore, together with globalisation, migration represents a significant variable in the evolution of societies and economies. Like other flows, whether financial, commercial or simply flows of ideas and information, the large scale of movement across Europe's borders has put into doubt the effectiveness of migration control measures used until now.

Between 2000 and 2002 several new developments had an impact in the world-wide migration management policies. New forms of mobility and replacement migration were being put into doubt in times of shortage of labour and expected ageing population. A United Nations Report, *'Replacement Migration: Is it a solution to Declining and Ageing Populations?'* put forward three possible scenarios: the first scenario was to address labour shortages, the second was to alter the proportion of active/inactive population, and the third was to restore balance to the age pyramid. However, it is not until 2009 that the Council of the European Union decided to introduce a new migration policy made to offset perceived effects of labour market and demographic change. This new migration policy was created to avoid the rapid inflow of movement across Europe's borders, being a combination of opening the borders to some forms of migration with closure to other, thus selecting highly skilled migration.

Nevertheless, it is crucial to understand that economic and demographic factors alone cannot explain the rapid inflow of migration from the developed world. Each individual's decision to move will always depend on several other factors, each unique to them. The implementation of economic migration policies will enhance the ability to move but, will not be the main reason to migrate. And these factors need to be studied, especially when the risk of underdevelopment of third world countries is at stake. This is the main reason for the development of this study.

1.1 Theoretical Framework

In order to work with concept of migration and how it evolved from a state of 'Fortress Europe' to a more selective approach the paper will start with a brief overview on the history of migration in the EU just after World War II. This evolution and development of migration policies influenced the transition from long-established migration patterns to new migration trends. This first chapter will reach a scientific insight where the reasons and motives for migration will be taken into consideration. These reasons include structural and demographic factors, social and cultural resources, and individual preferences. It will show that economic factors alone should not influence the European Union's decision-making in regards to migration, although according to some researchers, the current demographic trends in both developed and developing countries are pointing toward significant potential economic gains.

The second chapter will embrace the 'brain drain' theory¹. I will examine some of the most important questions in the academic and policy debate on international migration and provide with answers based on the findings of several experts in the area of migration.

¹ This theory refers to the causes of movement of highly skilled persons. Brain drain can occur if this movement for permanent or long stays abroad reaches significant levels and does not transmit feedback on remittances, technology transfer, investments or trade. Therefore, it reduces economic growth through loss return on investment in education and reduces the home countries' human capital assets. (ILO, 2001)

The debate on ‘brain drain’ and its impact on sending and destination countries is not recent. However, with the implementation of a new EU Directive², researchers and policy makers have started analysing how far the European Union is willing to go to achieve its ultimate goals. Indeed, the EU is willing to fill the shortage of labour with highly skilled migration coming from third-world countries but, the question is to what degree these migration policies affect the attractiveness of a country or continent? The degree to which this occurs, evidently, can be linked with the implementation of attractive policies or the evolution of global economy. Most economists conclude that large skill migration is detrimental to developing countries. But, ultimately, there are several other theories that tell us otherwise.

The third and final chapter will enhance the understanding of ‘brain drain’ in relation to other ‘brain’ theories such as that of ‘brain waste’³. Also in this regard, linkages between education and migration will appear in almost every chapter.

Once the migrants arrive in the destination country, it is important that their human capital be properly employed for both sending and destination countries, as well as for the migrants themselves. Source countries should improve the quality of the information on their education programmes and, in cooperation with destination countries, disseminate that information more widely to potential employers. Doing so would improve the quality of the jobs that educated migrants obtain in destination countries. Also, destination countries and migrants with the appropriate skills would benefit from the relaxation of entry restrictions imposed by various professional associations.

In conclusion, the empirical evidence will support the view that the Directive 2009/50/EC, also known as the ‘Blue Card’ Directive will not create mass migration from third-world countries as it is destined to approach migration in a more human rights basis. The significant contributions in the development of migration policies, has brought many benefits to both developed and developing countries. However, the ‘Blue

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³ “Brain waste” refers to a negative effect of migration of highly skilled persons from third-world countries. It refers to the incapability of third-world countries to absorb fully the native-born workers and this may result in low qualified labour for highly qualified persons. (ILO, 2001) This may also occur in developed countries when a highly qualified person does not find the most suitable job for his/her qualifications.

Card' signifies a new era of migration: An era that defines the human right to move for purposes of work. Hence, a central implication of this thesis is that by increasing constraints in the entry of third-world migrants, through tighter enforcement of visa restraints could reduce innovative activity significantly. Indeed, and also according to Philippe Legrain, *"We take it for granted that restrictions on the movement of people should exist. In particular, we assume that it is normal and desirable (for people in rich countries) that people in poor countries should be confined within their national borders, just as medieval serfs were once tied to the land. We never stop to think that perhaps we would all be better off if the latter-day serfs were set free, because they would be vastly more productive if they were not confined to their poor native lands."* (Legrain, 2007)

1.2 Terminology

The increasing complexity of migration movements has called for new concepts and terminology to describe and analyse them.

First of all, how should we define "migration" and, by extension, "migrant"? It is not easy to provide a clear definition of "migration" as it results from distinct political, social, economical and cultural contexts. However, for the purpose of this study, "migration" will be considered as the movement of a person or group of persons from one geographical unit to another across an administrative or political border, wishing to settle definitely or temporally in a place rather than their place of origin. (IOM, 2003) As for "migrant" the United Nations proposes that it should be defined for statistical purposes as a person who enters a country rather than that of which he/she is a citizen for at least 12 months, after having been absent for one year or longer (United Nations, 1998).

Regarding the geographical space in which migration takes place, it is important to distinguish between the "place of origin" or "country of origin" and the "place of

destination” or “country of destination”. Migration does not always take place only between these two places; it can involve one or several places of transit.

Another distinction to be made is between “internal migration” and “international migration”. As this study implies the movement of third-world country nationals across European borders, it is crucial to determine that “international migration” will be predominant throughout this study. It involves crossing of one or several international borders, resulting in a change in the legal status of the person. “International migration” then becomes “immigration” or “emigration” depending on how the place of destination or place of origin is considered and the result is “migration flows”, or the total amount of people moving from one place to another. These can be “outflows” as meaning “emigration” or “inflows” meaning “immigration” (IOM, 2003)

As referred above, a migrant is any person who leaves his/her country with the intention to reside in another country. In order to develop a clear view of the study in purpose, the direction of the movement of people will be disregarded. Therefore, the term migrant will be used to refer to both, emigrant and immigrant.

Finally, migration can be regarded as “temporary” or “permanent” depending on the duration of absence from the country of origin and the duration of stay in the country of destination. (IOM, 2003)

1.3 Terms for international migration

The following definitions may not all be technical or legal but surely provide an understanding of some of the most used migration terms.

“Deportation” refers to the act of a state in the removal of a non-citizen from its territory after refusal of admission or termination of permission to stay. It is the actual execution of the removal. (IOM terminology)

“Expulsion” refers to the act of informing a non-citizen of the prohibition to remain in the territory of a State. The order of expulsion is given when the individual either entered illegally or is no longer authorised to remain in the State. (IOM terminology)

“Illegal Entry” entry refers to the crossing of borders without legal permission. This means entering a State without fulfilling the necessary requirements for legal entry. (IOM terminology)

“Irregular migration” refers to the movement of a person to a new place of residence without valid documents or carrying forged documents. (IOM, 2003)

“Net migration” refers to the migration balance, resulting from the difference between arrivals and departures. Therefore, net immigration is when the arrivals exceed the departures and net emigration is when the departures exceed the arrivals. (IOM, 2003)

1.4 Terms for categories of persons involved in migration

“Economic migrant” refers to a person who left his/her habitual place of residence to settle in another place to improve his/her quality of life. This term can apply to persons either attempting to enter a country with or without permission and/or by using asylum procedures. (IOM, 2003)

“Irregular migrant” refers to a person in an irregular situation or have infringed the transit or host country’s rules of admission. These persons can also be referred as “undocumented migrant”, “clandestine migrant” or “illegal migrant”. (IOM, 2003)

“Migrant worker” is defined in the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families to mean a person engaged in a remunerated activity in a country rather than their own for the duration of his/her work. It can be applied to staff of a multinational company moving from country to country or to illegal migrants. (IOM, 2003)

“Highly skilled migrant/skilled migrant/qualified migrant” refers to a certain group of migrants with tertiary education, typically adults who have completed a formal two-year University education or more. (IOM, 2008) Although the IOM establishes a formal

two-year University education, for the purpose of this study and its establishment in EU standards, the definition to be followed will be that of the Council Directive 2009/50/EC of 25 May 2009. This Directive, also known as the ‘Blue Card’, established the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment. According to this Directive, higher education qualification means *“any diploma, certificate or other evidence of formal qualifications issued by a competent authority attesting the successful completion of a post-secondary higher education programme, namely a set of courses provided by an educational establishment recognised as a higher education institution by the State in which is situated. For the purposes of this Directive, a higher education qualification shall be taken into account, on condition that the studies needed to acquire it lasted at least three years.”* (Council of the European Union, 2009) However, this Directive also provides for another definition that fits into the category of highly skilled migrant but does not fit into any other institutional category. This definition will be used in this thesis in accordance with the European Council Directive and it refers to, Higher professional qualifications and means *“qualifications attested by evidence of higher education qualifications or, by law of derogation, when provided for by national law, attested by at least five years of professional experience of a level comparable to higher education qualifications and which is relevant in the profession or sector specified in the work contract or binding job offer.”* (Council of the European Union, 2009)

1.5 Terms on the International mobility of skilled workers

As referred above, “brain drain” refers to the causes of movement of highly skilled persons. ‘Brain drain’ can occur if this movement for permanent or long stays abroad reaches significant levels and does not transmit feedback on remittances, technology transfer, investments or trade. Therefore, it reduces economic growth through loss return on investment in education and reduces the home countries’ human capital assets. (ILO, 2001)

“Optimal brain drain” refers to a positive effect of the brain drain. Some economists and researchers argue that third-world countries benefit from the migration of the right amount of skilled migration as it raises domestic educational levels and therefore, stimulates economic growth. (ILO, 2001)

“Brain waste” refers to a negative effect of migration of highly skilled persons from third-world countries. It refers to the incapability of third-world countries to absorb fully the native-born workers and this may result in low qualified labour for highly qualified persons. (ILO, 2001) This may also occur in developed countries when a highly qualified person does not find the most suitable job for his/her qualifications.

“Brain circulation” refers to the actual movement of highly skilled persons. When a skilled person moves back and forth between developed and developing countries, he/she re-supplies the highly educated population in the sending country and, to a certain degree becomes more productive, boosting the countries’ productivity (ILO, 2001).

“Brain exchange” refers to the inflow of highly skilled foreign workers. A brain exchange occurs when the loss of the native-born worker is replaced by an equivalent inflow of highly skilled foreign workers (ILO, 2001).

“Brain globalisation” refers to the need of skilled mobility for purposes of business. Multinational corporations and the forces of globalisation require this international mobility (ILO, 2001).

“Brain export” refers to the developing countries’ need to educate and export their highly skilled workers. This happens both in bilateral contract programs or in free-agent emigration. It enhances the national balance sheet through remittances, technological transfer and investment (ILO, 2001)

1.6 Definitions applied to the Council Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment.

A “third-country national” refers to any person who is not a citizen of the European Union (CD, 2009).

“Highly qualified employment” refers to the EU Member State’s employment policy towards a skilled person. It means persons protected as an employee under national employment law and/or in accordance with national practice, is paid, has the required adequate and specific competence, as proven by higher professional qualifications (CD, 2009).

The “EU Blue Card” refers to the authorisation entitling its holder to reside and work in the territory of a Member State under the terms of the ‘Directive 2009/50/EC’ (CD, 2009).

The “first member state” refers to the member state which grants a third-country national an “EU Blue Card” (CD, 2009). Consequently, the “second member state” refers to any member state other than the “first member state”.

As already mentioned above, “Higher professional qualifications” refers to evidenced high education qualifications or attested by at least five years of professional experience of a level comparable to higher education qualifications. This means it is relevant in the profession or sector specified in the work contract or binding job offer (CD, 2009).

“Higher education qualification” refers to a diploma, certificate or evidence of formal qualifications issued by a competent authority attesting the successful completion of a post-secondary higher education programme (CD, 2009). As specified above, in the term “highly skilled persons”, the duration of the studies must be at least three years.

1.7 Limitations

Finally, when considering the study of highly skilled migration, the word migration itself is the first limitation to deal with – mainly due to diverse distinctions between migration and other forms of mobility. This makes the comparison between national and international migration statistics difficult.

Another difficulty to take into consideration is the place of training of those migrants. This means that, the existing data on migrant population in the EU does not provide all the necessary information to determine the level of education of an individual according to the place of birth and place of current residence. Indeed, many of the foreign-born individuals may already live inside the EU when applying for a job.

Citizenship and migratory backgrounds also created some limitations when considering the study of migration. Most available data integrates foreign citizenship in the common citizenship category creating an overlap between migrants and non-migrants. This happens because national naturalisation differs in policy and practice and consequently it complicates the comparison of data on an international level.

Other limitations include the representation of 'remigration', as the flow of data usually tends to overestimate the real figure of resident migrants and the quality of data. Being a recent topic, most literature focuses on past situations that do not apply for this current thesis. However, new literature has come to fulfil several gaps in this area.

2. History of European Migration

Asylum and migration have been on the agenda of the European Union ever since the signing of the Single European Act, in 1986. This development recognised new forms of intergovernmental cooperation to manage the frontier-free area. In 1990, the Dublin Convention was signed to determine the Member State responsible for examining asylum applications.

The dissolution of the Soviet Union and the subsequent reunification of Germany, as well as the war in the Balkans and the break-up of the former Yugoslavia raised the percentage of asylum seekers and immigrants to the European Union to 1.3 million in 1992. So, in 1993, the Maastricht Treaty introduced the obligation of the Member States to cooperate within a single institutional structure, the so-called third pillar. In this institutional structure, immigration and asylum were both recognised as essential and new opportunities were provided for a more comprehensive approach to migration and asylum policies. Subsequently, the wide ranging debate on the challenges of migration led to improvements in the third pillar and in May 1999, the Amsterdam Treaty came into force. This is where European institutions were given the necessary treaty-based competence to develop asylum and migration policies. It is within this context that the area of freedom, security and justice, was drafted to cover visas, asylum, immigration and other policies related to the free movement of persons.

Between 2000 and 2002 several new developments had an impact in the world-wide migration management policies. Europe was going through a demographic stagnation followed by shortage of labour where new forms of mobility and replacement migration were being questioned. According to the Migration Policy Institute (MPI) (2006), between 2000 and 2004, the annual natural population change (births minus deaths) in the EU-15⁴ was as low as +0.1 percent. Most new EU-Member States in Central Europe

⁴ The EU-15 includes Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom.

and several countries in Southern Europe experienced natural population decline. In the EU-25⁵, natural growth amounted to +0.07 percent. As a result, Europe's population increase of more than 2.0 million people between January 2005 and January 2006 was mainly due to immigration (see table 1.1 in annex). In Germany, a new immigration law (*Zuwanderungsgesetz*) was drawn up in 2001 raising debate among several political forces in the country. It proposed a point-based system to address skilled labour shortages, similar to those systems applied in Canada⁶ and Australia⁷. This points-based system was characterised by earning points according to factors such as age, qualification and language skills. Only after a certain number of points, a foreigner could be eligible for a working visa⁸.

The increasing desires of the migrant population to alternate stays between regions have set new migration trends putting all European countries with a positive migration balance⁹ (MPI, 2006). According to Rainer (2006), supported by the demographic data provided by Eurostat, in 2005, all EU-25 Member States, plus Norway and Switzerland had a positive migration balance. Therefore, in 2009, the Council of the European Union decided to introduce a new migration policy made to offset perceived effects of labour market and demographic change in the European Union. Just like the point-based systems in Canada and Australia, this new migration policy was created to attract highly skilled migration and compete in the race for mobile talent.

It can be said that the future of migration policies - in Europe - now faces the results of globalisation. The shortage of skills in certain employment sectors, the growing

⁵ The EU-25 includes the EU-15 plus 10 Member States joined in 2004: Cyprus (Greek part only), the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia.

⁶ The Canadian point-based system is a method to grant points to foreigners who apply for permanent residence. This system is partly based on objective skills acquired and ensures that highly skilled foreigners with the characteristics most needed in Canada at any given time (e.g., IT, Engineering) are selected first. It also gives the opportunity to take steps towards more skills and credentials in order to build points over time (US senate, 2007)

⁷This program, also known as the General Skilled Migration programme, is for foreigners who are not sponsored by an employer and who have skills in particular occupations required in Australia. In order to apply for this programme, applicants must be over 18 and under 45 years of age, have good English language ability, and recent skilled work experience or a recently completed eligible Australian qualification. Available at: <<http://www.immi.gov.au/skilled/general-skilled-migration/>>

⁸The criteria for the points was, age, qualification, language skills and – surprisingly -the country of origin. The introduction of the points-system was ultimately rejected on grounds of high unemployment, and to avoid an increased competition for scarce jobs.

⁹ Positive migration balance = more people have entered then left the country.

competition between the highly skilled, the appearance of alternatives to irregular migration and the Ageing population now set the grounds for future policies.

2.1 Understanding International Migration

According to Andrew Geddes (2008), International migration should not be viewed as some kind of external challenge to the European State system and to the EU. It should be connected in all its diversity to (a) the development, consolidation and transformation of European states; (b) the underlying motives for European economic and political integration; (c) the international system within which European integration is embedded and (d) the ways in which organisational and institutional processes at national, European and international level ‘make sense’ of the complex human material that comprises international migration flows. This means that international migration is analysed according to the organisational, territorial and conceptual borders of European States. When borders change, the meanings related to international migration change as well. Concepts like legal or illegal, threat or opportunity change together with the borders. Consequently, there is a European need to respond to these border changes and this means more than looking at the location of borders and how these meanings change, and to how strategies of territorial management and population control can also change as the location and meaning of borders shift.

In continuation of Geddes’ thoughts, this understanding of migration is then related to institutional and organisational processes that have constituted European economic and political integration, for more than 50 years. The only kind of migration with which the EU had to be concerned since the late 1990s was the relocation - for economic purposes - of what are known today as European citizens. Only recently, immigration and asylum from outside the EU became relevant in the global context of international migration. Therefore, it is now meaningful to discuss a common EU migration and asylum policy, as evidenced by a series of legal outputs – directives and regulations in EU parlance - on visas, asylum, on the rights of long-term residents and anti-

discrimination, just to name some areas. (Geddes, 2008) International migration has thus become increasingly more visible.

According to the Global Development Network (GDN)¹⁰ and Institute for Public Policy Research (IPPR)¹¹, 2009: in 2000, it was estimated that 175 million people were residing in a country different to their own. (GDN and IPPR 2009) This number proves that ‘push and pull factors’ are strong enough to justify leaving home in search for a different place to live/work or both.

Each individual moves for a different reason. Nonetheless, these reasons known as ‘push and pull factors’ are shared between all migrants. According to the UK Parliamentary Office of Science and Technology, the ‘push factors’ are mainly due to (i) low wages and lack of career choices, (ii) lack of funding and/or infrastructure, (iii) political instability, (iv) poor governance, and (v) corruption and persecution. Often, the most skilled migrants in third-world countries leave their homeland involuntarily. This is normally due to the violation of human rights, political and religious persecution or denial of academic freedom. According to Vedran Horvat (2004), in the previous decade many intellectuals and scientists migrated from South East Europe because of war and human rights violations. At that time, South East Europe was not a part of the EU. However, nowadays, this continues to happen although now being, mainly, from the Middle East.

‘Pull factors’ include (i) prestige, (ii) job satisfaction, and (iii) higher wages and policies favouring skilled migration in detriment of non-skilled.

In the light of the above, it could be concluded that highly skilled migrants, like any other migrants mostly move in response to economic opportunities. Nevertheless, other factors influence such decision, either being it education, research or language training. In the case of academics, the decision to migrate and the preferred destination can be totally based on the support and research facilities that they might find.

¹⁰ A network of researchers and policy institutions dedicated to promoting policy-relevant research for the purposes of development.

¹¹ UK’s leading think tank in the research of new challenges for public policy issues.

Finally, another reason to move is associated with the growth and spread of multinationals. Intra-company transferees (ICT)¹² also account for a reason to move.

2.2 Migration and Mobility

Sustained growth, prosperity, employment and social security are changing globally. The latter can only be safeguarded through a flexible market and the promotion of mobility. It is in this context that labour migration plays a role in the future of the economy. According to Zimmermann (2009), disadvantages such as the cost of moving, loss of income in the transfer period and psychological costs – incurred with family and social separation – generate the probability ‘to move or not to move’. In this case, the probability of older people moving is much lower than that of younger people. Also, individuals with a better education are more likely to move as they not only expect higher income but also are more efficient in gathering information and processing the advantages/disadvantages of migration. Moreover, migrants often circulate within their family and ethnic networks leading to clusters. This means that once a family settles in the destination country, they reduce the risks and costs for future mobility. Also, the increasing availability of transportation throughout the world can encourage a change of job to a more distant region. It makes commuting easier and promotes a supra-regional presence without changing employment.

Notwithstanding, still according to Zimmermann (2009), if mobility in Europe is to be analysed, there are several other aspects to consider. For example, the rise in female participation in the labour market has led to a double income in households. This means that, nowadays there is a need to find two jobs instead of one, moving becomes less probable. Also, the increase in home ownership, limited transferability of social security systems, little recognition of formal qualifications, economic crisis, the ageing of the

¹² ICT implies working abroad while still sponsored by the national employer. The employee is based at client sites where he/she is maintained day-to-day in management control . (Amcham EU, 2009)

working population and an absence of transparency of European online employment exchanges, lead to a stronger attachment into local ethnic and social networks. Furthermore, poor language skills and cultural differences complement all other factors against mobility. In terms of measurements, several problems will be encountered, starting with the lack of information. There is a shortage of transnational surveys and the statistics neglect the nationality of migrants overestimating the actual migration.

As international migration increases, the economic, social, cultural and political impact also increases. As a result, new policies are needed to maintain the order in the global movement of people. Migration can bring a dynamic labour force and rich cultural diversity to society. However, it is crucial to make it a constructive force where mobility should imply the movement of people to areas of labour shortage. This way, migrants 'fill the gaps' in the labour market that are often existent in remote areas inside Member States. But as for filling these gaps in a constructive order, it is crucial to establish a pattern as to why people migrate.

2.3 Why do the highly skilled migrate?

In Zimbabwe, the lack of resources and facilities within the health care system make it a priority for skilled health personnel to migrate. The reasons to do so, can be merely because of (i) the lack of opportunities for promotion, (ii) heavy workload without resources, or (iii) self-improvement or simply the perception that wages are higher elsewhere, can contribute to a major exodus. It is within these same reasons that when health care personnel was presented with a questionnaire, they stated that the encouragement factors to stay in the country of origin, were 77% better salaries, 71% better fringe benefits, 59.7% more reasonable work load and 64% improved facilities and resources (Chikand, 2004). In India, for instances, the majority of health care workers stated their strong will to settle down in the destination country (Khadria, 2004).

The perception that a career can be found elsewhere, with the support of close family and friends, makes it easier to perceive a possible future abroad but the same can happen as a 'push' to return. IT professionals in Bangalore related the most important reason to return to the country of origin as being family and friends. This means that as for health care professionals combine the support with better resources and facilities, IT professionals are willing to build a career in a place where the IT development is just rising. (Chapell *et al*, 2009)

These examples show that temporally or not, highly skilled migrants are concerned mainly with their professional development, access to training, better opportunities and working environment.

Generally speaking, European migration policies need to be regulated globally, replacing national policies which continuously lack adequate measures for this global challenge. This challenge has generated a gap between national migration management policies caused by over sensitiveness in years of crisis (dominated by restriction, dissuasion and repression) and new migration trends. Furthermore, no modern discussion on migration can be divorced from human rights, development of countries of origin, social cohesion and the future of welfare state in the host societies.

In the Former Yugoslav Republic of Macedonia, students, teaching staff and researchers, answered a survey where they stated that the main motivation to migrate was the political instability. Since the 1990s, Macedonia has not only been struck with severe unemployment but also suffered from high political instability giving place to frequent military conflicts. This caused a rise in the percentage of highly skilled wanting to migrate. In 1994, about three quarters of the economy, medicine, mathematics and natural sciences students considered leaving the country. In 2003, this

number raised to 87% in the case of the economy and medicine students, and to 79% of mathematics and natural sciences students (Chapell *et al*, 2009).

As we can see above, population movements today are very complex but they are also diverse and inter-connected with other global processes. They involve ever increasing number of countries, as origin, transit and destination points, often all three in one. These movements interact dynamically with development, trade, security, health and stability trends; and increasingly demand the attention of all these policy areas in government (WM, 2003). However, many government policies have not been able to keep pace with labour market developments, and there continues to be a need for legislative frameworks that provide for rapid responses to labour shortages. Current labour migration regimes are highly diversified and complicated, particularly in Europe, where employers in need of third country nationals are often confronted with complex administrative procedures and very few common rules and principles across Member States (ECOTEC, 2001). To be competitive in a world of globalised economies and communications, governments and industry in advanced societies need increasingly flexible, expeditious visa policies, while being mindful of the imperative to regulate more strictly on protecting rights and conditions. Opening up legal immigration routes for surplus labour can also reduce the demand for smugglers and traffickers. Diversified policies being pursued by some forward-looking recruiting countries include (i) choices about temporary or permanent residence; (ii) less restrictive visa conditions; (iii) immigrant integration support; (iv) removal of work permit/labour market testing for high skilled/ demand jobs; (v) no employer/job offer requirement for high skilled/ demand sectors; (vi) greater investor possibilities and (vii) tapping into foreign student/apprentice populations.

2.4 The ‘Blue Card’ Directive

The World is now facing a great economic crisis where the shortage of skilled labour only contributes to the depression in the development of the labour market. The European Union has begun the search for talent as Europe has never been the first choice for highly skilled migration. Competition was led in the 1980s by Australia and Canada, followed in the 1990s by the US. The shortage of IT workers in particular was the main reason to rethink strategies and adopt more proactive policies to compete. Thus, in order to attract global talent and overcome the problems of mobility in the European Union, the Council of the EU has established a Directive that allows third country nationals to live and work with their families in European countries for a minimum of three years and up to a maximum of five years.

The main purpose of the ‘Blue Card’ is to entitle a third-country citizen with authorisation to reside and work in the territory of a EU Member State. In addition, Blue Card holders can also seek and gain employment in any other EU Member State other than that where they first seek employment, going through more complicated immigration processes. In order to achieve this goal, the third-country citizen needs to fulfil specific requirements. These include (i) a particular professional qualification; (ii) a contract with a business based in the EU; (iii) the relevant salary threshold shall be at least 1.5 times the average gross annual salary in the Member State concerned. In addition to these requirements, the European Parliament Legislative Observatory, in a most recent resolution, amended the proposal for the Council on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment (European Blue Card Directive). The report had been tabled for consideration in plenary by Ewa Klant, on behalf of the Committee on Civil Liberties, Justice and Home Affairs. These amendments seek to ensure a clearer framework for

the Blue Card scheme, with more precise definitions, more flexibility Member States, whilst aiming to avoid a brain drain from third countries and stated the importance of two more requirements. These are: (i) a proven health insurance benefit provided in connection with, or resulting from, the work contract and, (ii) to show that they do not constitute a threat to public policy, public security or public health.

As explained above, this Directive applies to the third-country nationals who wish to be admitted to the territory of a EU Member State. It may also apply to the third-country nationals who already legally reside under some other scheme in a given EU Member State. However, it does not apply to those staying in a Member State as applicants for international protection or under temporary protection schemes or who have applied for a residence permit but have not yet been replied to. In addition, the European 'Blue Card' cannot be granted to (i) applicants for refugee status, (ii) intra-corporate transferees, (iii) providers of contractual services and trainees with higher education qualifications who are covered by the European Community's obligations under the General Agreement on Trade in Services (GATS), and (iv) seasonal workers.

If the above requirements are all fulfilled, the highly skilled worker should receive a work permit and residence visa as well as the permission to be joined by family, also able to work within the same permit.

As already stated above, the Blue Card holder is granted with an authorisation to work within the whole EU economic zone. He is also granted the possibility to transit to another country after 36 months of legal residence, for the purpose of labour. This process can generate circular migration among international EU/third-country labour markets. It reduces regional skill shortages and by going back and forth between sending and destination countries, increases the productivity of the highly educated population in their home country. Furthermore, if employment is lost, the Blue Card has a three month "grace period", period in which the highly skilled migrant can search for a job whilst still living in a EU Member State. This means that unemployment cannot

constitute a reason for withdrawing a Blue Card and unless unemployment exceeds three consecutive months, or it occurs more than once, only then there is a possibility to redraw the Blue Card status. In theory, despite these requirements and the limited access to study grants, housing and social assistance, Blue Card holders shall be treated equally in relation to national workers. They shall enjoy equal treatment as regards to (i) working conditions, including pay and dismissal, as well as health and safety requirements at the workplace; (ii) freedom to engage in a specific occupation, including the benefits conferred by such organisations, without prejudice to the national provisions on public policy and public security; (iii) education and vocational training; (iv) recognition of diplomas, certificates and other professional qualifications in accordance with the relevant national procedures; (v) provisions in national law regarding social security; (vi) payment of income-related statutory pensions in respect of old age, at the rate applied by virtue of the law of the Member State(s) when moving to a third country (without compromising bilateral agreements); (vii) access to goods and services including procedures for obtaining a house, as well as information and counselling services afforded by employment offices; and (viii) free access to the entire territory of the Member States. However, a Member State may restrict equal treatment as regards study and maintenance grants or other grants and loans regarding post-secondary education. This is subject to national laws.

Thus, aiming at reducing the differences between highly skilled workers and increasing Europe's attractiveness, the Blue Card Directive does not determine the volume of admission of any Member State. The procedure to admit third-country nationals into the territory for the purposes of highly qualified employment is left entirely at the discretion of the Member States. Member States may reject an application for an EU 'Blue Card' whenever the applicant does not meet the conditions for admission set out in the Directive and/or presents documents which are a fake or which have been obtained illegally.

This Directive is a starting point to achieve one smooth, efficient and quick procedure for businesses in the Member States. It is a selective migration procedure that helps filling the shortages of skilled workers in some Member States. It is a proposed system that does not replace the Member States immigration systems but offers an

additional support when dealing with the entry requirements. In a sense, it may be considered as a harmonisation between the European Union and national Governments in the common goal to break boundaries in a European single market and at the same time, preventing Member States to adventure on other selective migration schemes.

However, there is some opposition to selective immigration laws on the grounds that people trade the developing world for developed world. It is for this reason that the Blue Card Directive provides for the so-called ‘ethical recruitment’ as a ground for refusal. Member States can refuse applications for Blue Cards when so is necessary to ensure that sectors suffering from lack of qualified workers in the applicant’s countries of origin, do not suffer even greater damage – often known as ‘brain drain’.

Recruitment policies follow the need to increase the stock of human capital and encourage the circulation of knowledge promoting innovation. These recruitment policies in receiving countries focus on the development of temporary migration schemes based on skills and competence requirements combined. This is the case of Canada and Australia which have developed specific policies to promote the permanent residence of highly qualified individuals and the temporary migration of specialists and business personnel. Most European countries are fostering temporary residence permits either for highly qualified employment, either for students. In other countries - like Germany – skill shortages in the information and communications sector have been filled with specifically targeted temporary visas. (see table 1.2)

1.2 Table - Recruitment of highly skilled migrants: Policy examples

Policy	Description
Malaysian skilled worker program	Knowledge-economy master plan for 2001 – attracted 5,000 skilled workers that year.
South Africa loosening restrictions to highly skilled migration	Short-term work permits for skilled foreign workers.

<p>USA skilled – allowing temporary visas for the highly skilled</p>	<p>The U.S. Congress responded by increasing the numerical cap from 65,000 in 1992, to 115,000 in 1998, to 195,000 in 2000. Employers were required to sponsor these skilled workers who were authorised to stay for up to 6 years.</p>
<p>Canadian permanent skilled worker targets</p>	<p>In the 1990s, Canada raised the number of immigrants and those admitted with skills constituted more than half the total inflow. Now, the plan is to target skilled workers from China, India, Pakistan, Philippines and South Korea. (Batcho 2001)</p>
<p>Australian permanent skilled worker targets</p>	<p>Australia’s migration 2001 programme made 76,000 places available for skilled migrants that qualified for admission. Most were admitted on points for education and a small amount for employer recruitment.</p>
<p>Australian temporary medial workers</p>	<p>Australia addresses the lack of doctors by granting temporary work visas to doctors trained overseas.</p>
<p>German temporary ICT green cards</p>	<p>In 2000, Germany announced the grant of 30,000 special work visas to foreign information, communication and technology officers (ICT). These mainly came from India and the rest from Eastern European countries (Islam 2000).</p>

Source: Lowell, L., policy responses to the international mobility of skilled labour, 2001.

The effects of highly skilled migration cannot be simply qualified as ‘positive’ or ‘negative’. Moreover, it cannot be viewed as ‘the’ solution. Importing specific types of skills at precisely the time and to the specific places where it is required can be an extremely difficult task. A time lag will always exist between the time a particular demand is identified and the time a position can be filled with a highly skilled migrant.

The Blue Card Directive was presented in order to efficiently transfer skills to places where they are most needed. In an interview by Mirko Gentili (2008), Ewa Klamt¹³ stated that the EU is still not regarded as an attractive place for highly skilled workers and the main reason for this is that there are 27 different admission regimes that make it a difficult destination. Therefore, “the objective of the Blue Card proposal is to introduce a fast-track and flexible admission procedure and favourable residence conditions for third- country nationals in order to make the EU more attractive for highly qualified workers.” (Interview, 2008)

¹³ German politician and member of the European Parliament.

3. Impact on Countries of origin

Regarding selective migration - in general - many researchers have been arguing about the impact it has either in the receiving country or in the sending country. Economic analysis conducted by the Organisation for Economic Co-operation and Development (OECD), as well as in OECD Member countries and non-member countries, has shown the economic impact of highly skilled migration on sending and receiving countries. This research shows that there are several positive effects for the main destination country, mainly stimulation of innovation capacity, an increase in the stock of available human capital and the international dissemination of knowledge. (OECD, 2002) By facilitating the circulation of migrants between host and home countries, the loss of human capital in the sending countries can almost be offset. This mobility of skilled workers can promote investment in training in the sending countries and increase the inflow of foreign currency through remittances. Furthermore, certain countries offer too few job opportunities to their highly skilled workers, therefore emigration cannot be perceived as a limiting factor to the development of their industries. In this case, migrating can be seen as a positive factor for development as long as the provision of basic socio-economic services is safeguarded (OECD, 2002).

In addition, it would be naive to admit that highly skilled migration comes completely separate from other types of migration. This is designated as a multiplier effect (Skeldon, 2009). Highly skilled migrants, as stated in the EU 'Blue Card' Directive, are allowed to bring family. This family, depending on the conditions of their entry visa, may or may not be allowed to practice their professions. Another significant multiplier effect is the increase of less-skilled jobs together with the increase of the highly skilled entries. According to Skeldon (2009), financial experts – for example- who work in globalised cities inflate demand for services such as those in restaurants, laundry, office cleaning, courier and coffee house trades. So, the idea that the European

Union is opening the borders to some sort of migration whilst closing to other might also be misplaced (Skeldon, 2009).

Nevertheless, the international mobility of highly skilled workers presents a great challenge to developing countries. The economic theory and available research suggest that there is an increasing loss of highly educated natives abroad and this represents a reduction in the human capital and knowledge in third-world countries (Lowell 2001). On the other hand, developed nations stand to gain from this migration having their human capital and knowledge rise – as the population in the sending countries perceives the positive effects of a higher education (Straubhaar 2000). This is where researchers react and generate positive feedbacks. Indeed, most recent literature on the impact of highly skilled migration is uncomfortable with the term ‘brain drain’. In fact, the use of ‘brain gain’ or ‘brain circulation’ are used more often and come with the positive assumption that the developing country expatriates return back home, carrying their experience and productivity with them.

Within the context of brain drain, Iredale (2003), states that countries can be grouped into a number of broad categories. The first category includes the countries that have experienced the most significant brain drain. Developing countries such as Indonesia, Pakistan, Bangladesh and Sri Lanka are some of those countries. The second category experiences a more modest level of brain drain and includes some returnees and temporary highly skilled non-nationals. These are industrialised Asian countries such as Japan, South Korea, Hong Kong, Malaysia and Singapore. The third and final category, is where brain drain does not seem so problematic, experiencing the return of highly skilled migrants and high brain circulation. This country is Taiwan.

According to Philip Martin (2003), emigration of the highly skilled can lead to virtuous and vicious circles in the country of origin. He states that the impacts of this type of migration can be grouped under 3R's. These are: Recruitment/Restriction, Remittances/Resources and Return/ Retention.

3.1 Recruitment /Restriction

If we consider that human capital increases a country's growth rate, retaining highly skilled migration can consequently increase national income and tax payments. Furthermore, highly skilled migrants are least likely to commit crimes, more likely to ensure their children with a good education and more likely to engage in economic activities with multiplier effects (Straubhaar, 2000). If we take this into consideration, Philip Martin suggests that by monitoring who leaves and returns to the country of origin, governments can track and devise policies to encourage remittances in return. Restricting emigration is excluded – as migrants can leave illegally or as tourists – and this additional cooperation between sending and receiving countries may create further regulations concerning employers and migrants. The positive effects from this cooperation can then be transformed in other recruiting activities to specifically identify who leaves and who returns.

3.2 Remittances/Restriction

Taking into consideration that most migrants remit some of their earning to families and friends in their countries of origin, governments try to mandate and require those remittances. However, few successfully force these remittance schemes. Also, few are the governments that are able to collect income taxes from their nationals abroad. Consequently, these governments risk the efforts to establish continuous ties with migrants and eventually migrants cut loose with any ties with their countries of origin.

According to Philip Martin (2009), only Governments that maintain ties with their migrants are able to sustain the interest to promote investments and voluntary returns.

Networks such as the Colombian Red Caldas network, the Global Korean Network, the Philippines Brain Gain Network, are part of the group of 41 networks in 30 countries identified by Brown (2000). These networks, created by migrants from particular countries, are rich depositories of talent with advanced educations (many acquired already abroad) and serve as contact points between migrants and their respective home country Governments. Nevertheless, highly skilled migrants are more likely to be abroad with their families and quicker to integrate in destination countries so, the origin and quantity of remittances remains unknown. The only information available is that of the total remittances and as we can observe in the map 1 (in annex), at least 5 countries in Africa present more than 5% of remittances in million US\$ and as percentage of GDP.

3.3 Returns/Retention

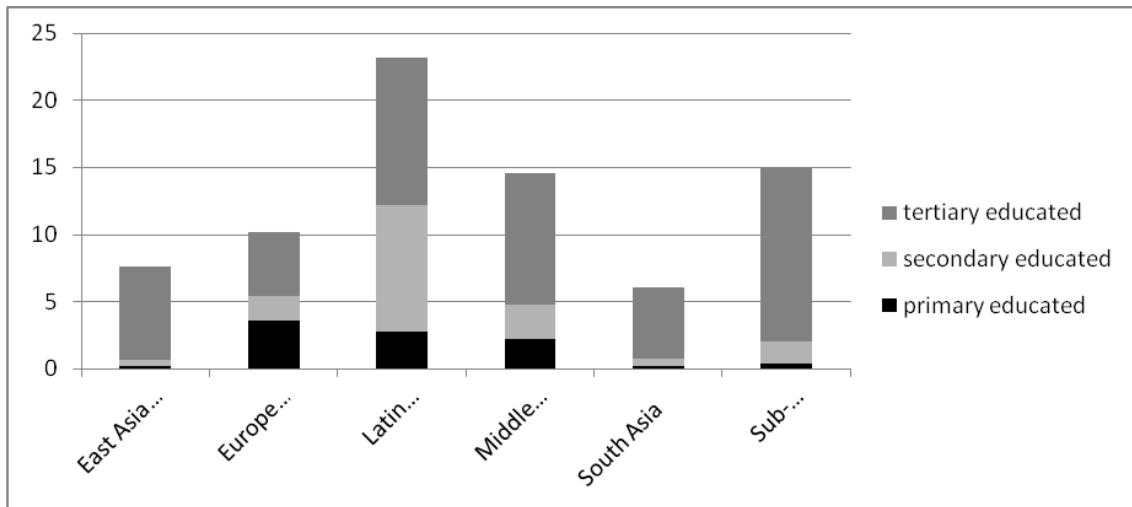
The most important goal for sending countries has always been to combat exodus of highly skilled workers and to assure the immediate return to the country of origin. Developing countries seek to progress economically but in order for this to happen it is crucial to reduce the urge to migrate. Several countries and Organisations actively operate in order to assure that these returns become successful. Governments such as in Taiwan, Thailand, China and few in Africa promote a sort of “reverse brain drain” aiming at promoting technological transfer and offering incentives to return and work in state agencies for at least a year (<http://rbd.nstda.or.th/>). In Africa, the International Organisation for Migration (IOM) operates to promote the return of highly skilled migrants in exchange for work in the public sector with travel, housing assistance and enhanced pay. The United Nations Development Programme (UNDP) has a similar programme called the TOKTEN that subsidises the return of teachers, consultants and researchers temporarily to assist particular projects. According to Philip Martin (2009) this is the most probable solution to ensure that migrants return for the development of their countries of origin. He states that by securing their status abroad, developing

countries are encouraging a return based on free will. This assistance, although expensive and characterised by several analysts as a failure, promotes brain circulation.

As observed above, international migration can be an important channel for the transmission of technology and knowledge, if applied correctly. On one hand, it can result in 'brain drain' leaving developing countries with low human capital resources. On the other hand, the return of migration even though temporarily, can establish further contact between migrants and their home countries, creating a possible voluntary return and a positive transfer of knowledge back to the country of origin.

According to Docquier and Marfouk (2004), emigration rates of the highly skilled tend to be higher than emigration rates of the general population in developing countries (figure 1.1). Mainly, these numbers represent the transfer of scientists, engineers and medical professionals from developing to developed countries. Regarding regional distribution of the 'brain drain', the most affected regions appear to be Latin America and the Caribbean, Middle East and North Africa and Sub-Saharan Africa. It is in this last region that, the difference between skilled and non-skilled emigration rates appear to be particularly striking.

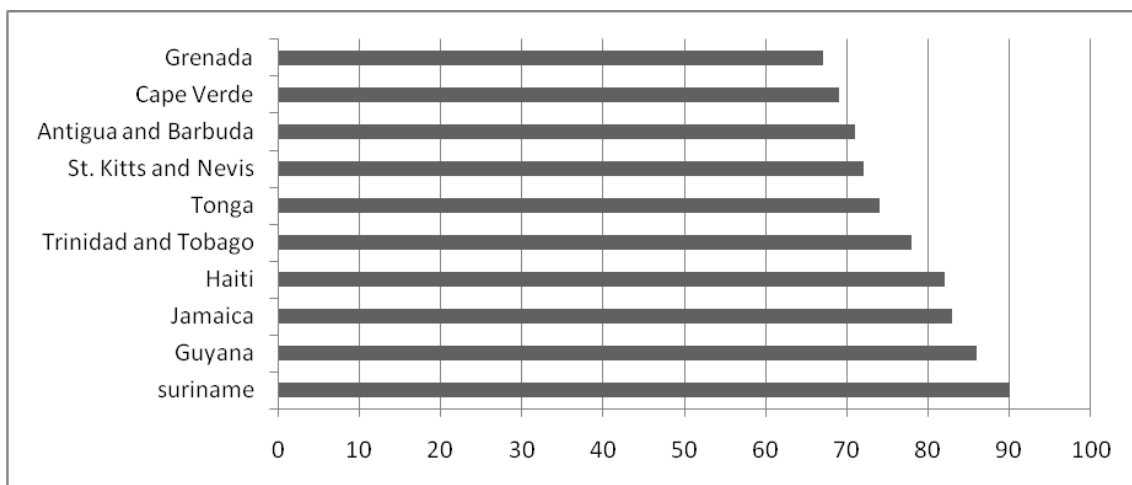
Figure 1.1 Emigration rates according to education level: Percent abroad in OECD countries



Source: Burns and Mohapatra's (2008) calculations based on Docquier and Marfouk (2004).

In figure 2, the percentage of highly skilled migration can result in a significant 'brain drain'. The percentage of out-migration from the highly skilled can exceed 60% in some small countries making a direct contribution to the underdevelopment of their home countries. The highest emigration rates are observed in the middle income countries where people have both the incentives and means to migrate (both skilled and non-skilled migration).

Figure 1.2 Highly-skilled emigration in OECD countries, 2000.



Source: Burns and Mohapatra's (2008) calculations based on Docquier and Marfouk (2004).

Mass migration of the highly skilled from the country of origin to developed countries, means the weakening of human potential necessary for social and economic changes. The return of highly skilled migration to the countries of origin can create substantial positive effects in development of the economy. However, due to the lack of resources and opportunities in their home countries, the real contribution of highly skilled individuals to the development of their home countries remains unclear. Therefore, when skills are applied in countries where they are needed and resources available contribute to the self-development of skills, it is fair to state that 'brain drain' can positively influence the growth of human capital formation and increase productivity.

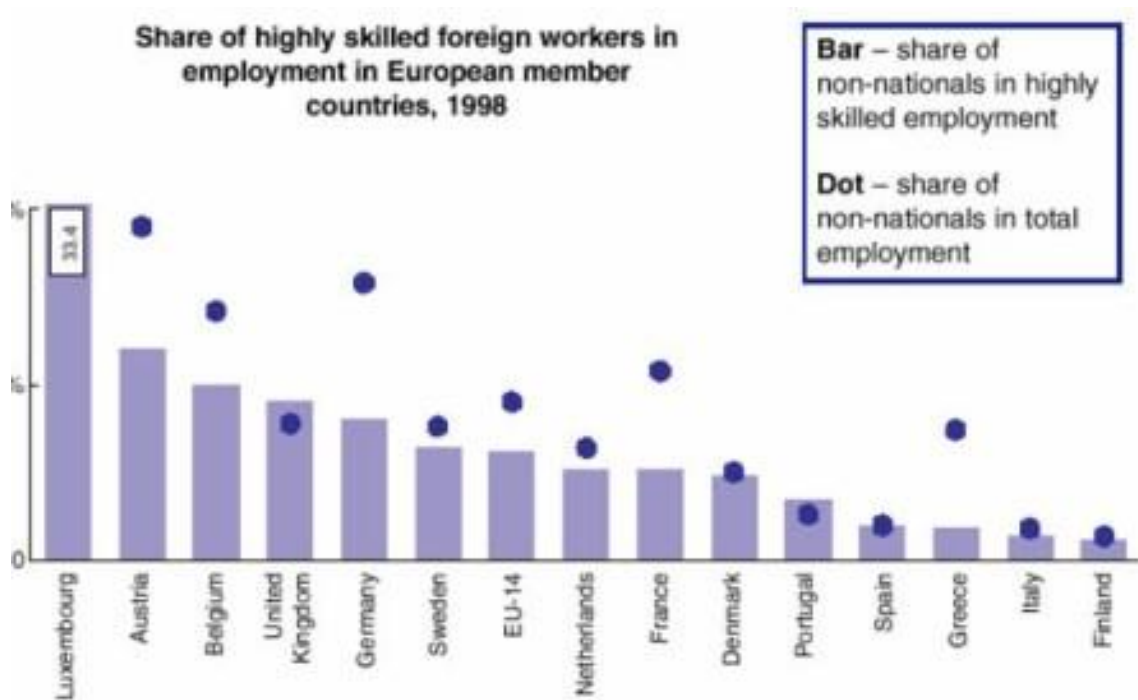
Relatedly, Findlay (2001b) finds 3 positive feedbacks on the emigration of the highly skilled. These can stimulate the country of origin by, (i) eventually returning and bringing back new skills and knowledge from abroad boosting productivity, (ii) remaining abroad and contributing via remittances, and (iii) transferring knowledge or technology to developing countries developing the economy. In order to strengthen such positive effects, it is crucial to adopt Philip Martin's impact on return, substituting 'brain drain' into 'brain circulation'. Brain circulation, is a well known phenomenon in developed countries and can be useful in updating both technology and management. In this sense, a well developed scientific infrastructure, higher investments in the science sector, and the stability of a consolidated democratic government that assures human rights and academic freedoms all provide a suitable environment that allows for this form of migration to occur (Horvat, 2004). In order to achieve this, developing countries must consider long-term strategies as the only solution. Only this way, they can promote growth, re-attain and draw back their highly skilled and address the negative effects of the 'brain drain' (Quaked, 2002) However, taking into consideration the huge gaps in the economic and political environments between developing and developed countries, these benefits are - in the short-term - difficult to realise. According to Cervantes and Guellec (2002), the reality is that developing countries have not been able to return highly skilled migration. The International Organisation for

Migration (IOM) estimates that 300 000 professionals from Africa, live and work in Europe and the United States.

Governments can do plenty to address the problematic of brain drain. The solution starts with Science and technology policies. Developing countries can establish centres of excellence for scientific research and provide conditions for innovation and high tech entrepreneurship. This way, they become attractive to highly skilled workers, both from within and outside the country. However, this task is a long-term investment that most developing countries cannot afford.

It is due to these causes that EU Member States profit. In 2000, the British Government and the Wolfson Foundation¹⁴, launched a five-year research award to attract top young researchers to the United Kingdom (figure 1.3). In the figure below, it is possible to observe that the percentage of highly skilled workers employed in EU Member States is relatively high. The risk of brain drain in developing countries is real. However, it is possible to create opportunities for research, innovation and entrepreneurship at home and stimulate the return of human capital. With the right policies and sustained international cooperation, several developing countries could be successful (Cervantes and Guellec, 2002).

¹⁴ A research charity.



Source: OECD, based on data from the Eurostat Labour Force Survey, March 2001

3.4 Managing Return Migration

As already explained, return migration is often referred to as a scheme capable of generating significant benefits to the country of origin (Ellerman, 2003). Highly skilled migrants return to their country of origin after spending a period of time in another country. Mainly, they do not intend to return as the longer they live abroad, the less probable is their return. However, they are engaged in temporary worker programmes in their home countries and after, decide to stay. In developmental terms, there are strong reasons to encourage return at the end of fixed-term contracts, and once they return, these migrants are equipped with newly acquired skills, taste for innovation and the potential to contribute to the rapid development of their home country.

It is therefore a great challenge from a policy development point of view to find the appropriate balance between protecting the rights of highly skilled temporary workers, circumscribing opportunities for permanent residency without eliminating them altogether and creating incentives for return. This is an area where effective practices

are yet to be elaborated. In broad terms, however, it could be argued that what is needed is a new, systematic approach, where conditions are created to enable the ethical recruitment of workers; prevent exploitative practices (Jones and Pardthaisong, 1997); facilitate the movement of such workers; encourage the maintenance of linkages with their country of origin; and to create attractive options for return. Each of these steps has been experimented with, but they are rarely found together in a purposeful combination. It is fairly obvious that such a programme cannot be attempted in isolation by either the home or host country, but calls for close cooperation between them.

4. Conclusion

The term 'Brain Drain' designates the international transfer of resources in the form of human capital, from developing to developed countries. The shortage of skills in certain employment sectors, the growing competition between the highly skilled, the appearance of alternatives to irregular migration and the Ageing population have established a real race to attract talent World-wide. However, as it seems to have a positive impact in the economy, Culture and Society in the European Union, the consequence for developing countries remains less obvious. Recent researchers (Mountford, 1997; Vidal; Beine *et al.*, 2001) have suggested that there are positive feedback effects contributing for the improvement of human capital in the countries of origin – also known as multiplier effects. But, the absence of reliable data on international highly skilled migration, brain drain in any sense, still remains theoretical. The European Union 'Blue Card' Directive will make a turn in the policy making structure. It will be more focused on the movement of skilled labour and this way; will have the possibility to examine patterns, causes and consequences of highly skilled migration. It will take the lead in the difficult task to encourage immigration while being careful not to harm those countries in danger of total brain drain.

Destination countries will continuously seek ways to attract the highly skilled in order to become more competitive and the impact of this in developing countries will, still remain unknown. However, the positive effects of highly skilled migration remain clear. Mostly it is presented in the form of exchange of skills. This thesis offers insights on the general circumstances under which developing and developed countries compete for human capital resources. It could appear that in the current scenario, developing countries are losing. The net loss of human capital from poorer regions is not being offset by a return of highly skilled workers, immigration from other countries, networks or other diaspora schemes. Unless they can either reverse some of the flow, or find ways to attract highly skilled migration back to their home countries, the sustainable development of these nations will continuously be threatened. However, the two processes may co-exist. Brain drain can be accompanied in collaboration between developing and developed countries. It can be transformed in 'brain circulation' leading

to a more cooperative approach in the global sense. The EU Blue Card Directive may, in fact, be a pioneer in the collaboration between developing countries and the European Union. However, further empirical research is needed to assure more confidence in these matters. According to Skeldon (2009), this empirical research can be established in three main directions. First, there is a need for panel data over longer time periods to confirm evidence. Second, it is important to control immigrants' age of entry in the European Union since only people who acquired education in their home country can be defined as 'highly skilled emigrants. And third, the sector-based composition of emigration can lead to the identification of those who strongly condition the potential of others in their home countries.

In the long run, migration will continue to be debated whether it is for highly skilled purposes or not. The Commission has reflected hard on how to achieve the legal migration bridge in the European Union. As Elspeth Guild stated in the CEPS Policy brief "This proposal begins a process of finalizing the measures on labour migration in the EU for third country nationals. Sensibly the Commission has started with a most favoured group – the highly qualified. Presumably, it considers that if it can get agreement on this group, it can hang the proposals on the other groups on the back of this one. While the proposal has some important weaknesses, not least that it proposes better rights for newcomers than the EU has granted to its long-term resident third-country nationals, it provides a starting place for discussion and debate. If it is possible to achieve one smooth, efficient and quick procedure for businesses to fill their third-country national employment needs according to clear and precise rules, it will be a substantial benefit to the EU economy." (CEPS 2007) According to Adler (2003) the reasons for this are clear. According to him, the world population is increasing and is likely to surpass 10 billion by the year 2050. Together with this, world poverty will also increase in times when television programmes show the wealth of the western world and influence migration from developing to developed nations. Abuses and exploitation of women will influence their decision to seek solutions abroad; political and religious persecution will send people in search for freedom and natural disasters and man-made disasters will continue to alarm the population and force people to migrate. Many are the reasons why migration should be debated. Freedom of movement is a basic human right and an attempt to restrict this kind of movement in an effort to reverse brain drain

would be wrong. It would probably result in migration anyway as there are multiple ways to migrate irregularly. Unfortunately, this could lead to situations where skills would not be recognised and would be misused. And that would lead to brain waste. And that would lead to brain waste.” (Skeldon, 2009)

Philippe Legrain stated in his book entitled ‘Immigrants your country needs them’, “We take it for granted that restrictions on the movement of people should exist. In particular, we assume that it is normal and desirable (for people in rich countries) that people in poor countries should be confined within their national borders, just as medieval serfs were once tied to the land. We never stop to think that perhaps we would all be better off if the latter-day serfs were set free, because they would be vastly more productive if they were not confined to their poor native lands.”(Legrain, 2007)

Annexes

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