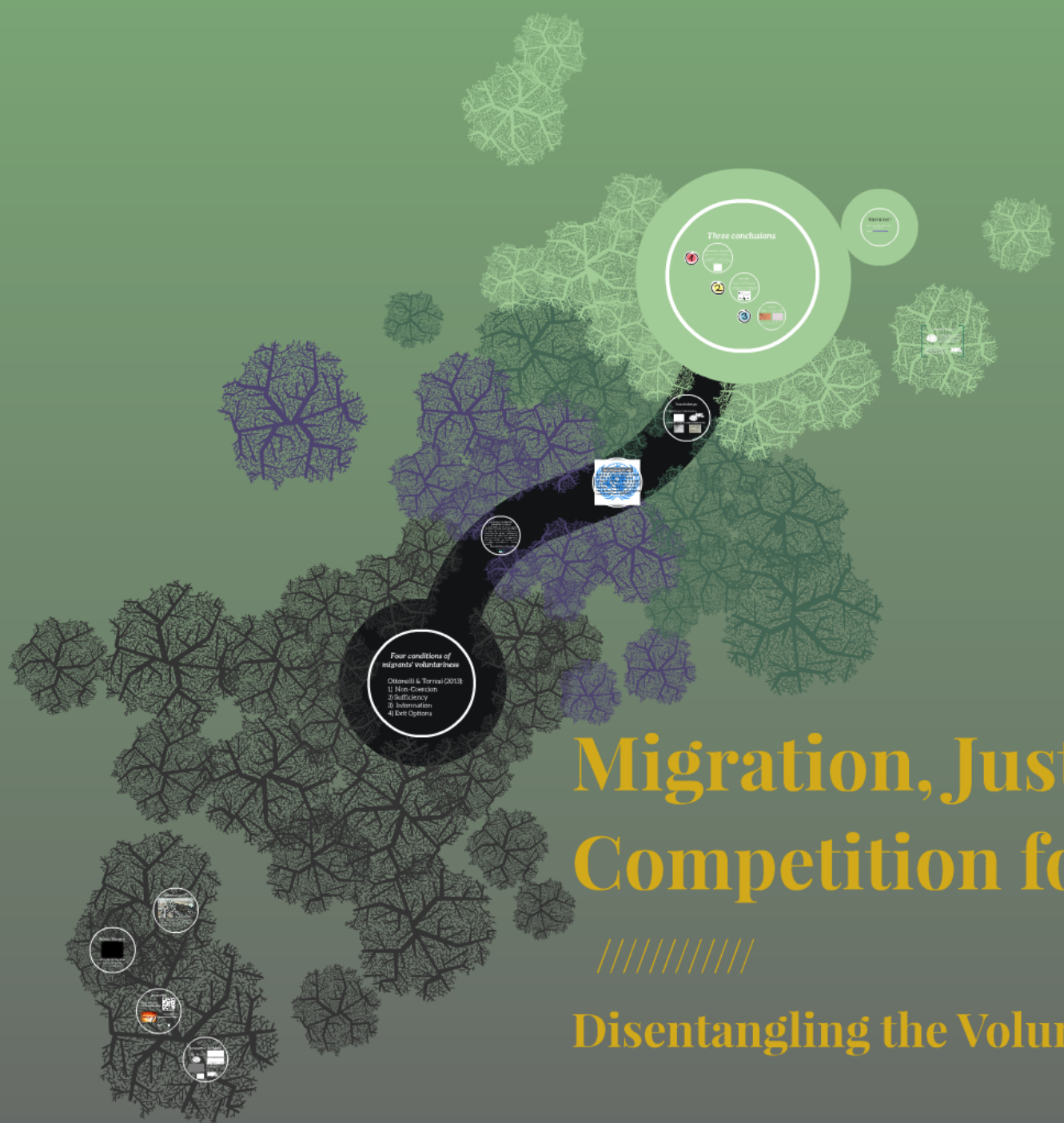


Darian Heim
PhD candidate,
UPF Barcelona

Migration, Justice, and the Competition for Talent

//////////
Disentangling the Voluntariness of Migrants



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Disentangling the Voluntariness of Migrants

Voluntariness (?)



Motivated by conflict, poverty, missing perspective, "European dream", send remittances.

Political Discourse



What do host societies expect from immigrants and on what grounds?

Integration

Integration has multiple meanings



Focus here on 'Integration Exams'

BUT:

"Competition for Talent"

Skilled / Educated



Country	Skilled / Educated	Citizenship / residence-for-cash
Germany	High	High
France	Medium	Medium
UK	Medium	Medium
USA	High	High
Canada	High	High
Australia	High	High
Japan	High	High
South Korea	High	High
China	High	High
India	High	High
Brazil	Medium	Medium
USA	High	High
Canada	High	High
Australia	High	High
Japan	High	High
South Korea	High	High
China	High	High
India	High	High

Citizenship / residence-for-cash



Political Discourse



What do host societies
expect from immigrants and
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YouTube

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Focus here on "Integration Exams"

BUT:



There Are Exceptions...



Candidates holding
"certain diplomas"



"Immigrant
Investors"

"Competition for Talent"

Skilled / Educated



Table 1. What Selected Governments Consider Desirable Regarding Migration in General and Regarding Highly Qualified Migration in 1996 and 2007

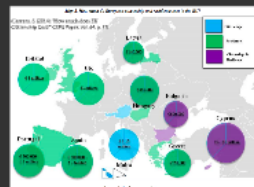
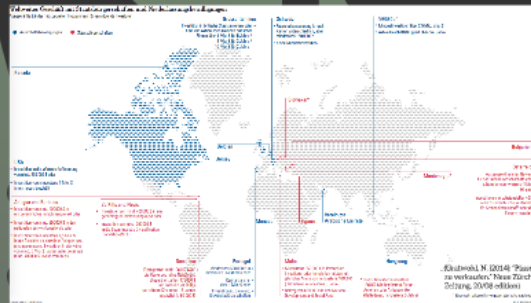
Country	Views migration as		Policy on skilled migration	
	1996	2007	1996	2007
Czech Republic	Satisfactory	Satisfactory	...	Raise
France	Too high	Too high	...	Raise
Germany	Too high	Satisfactory	...	Raise
Ireland	Satisfactory	Satisfactory	...	Raise
Netherlands	Too high	Too high	...	Raise
U.K.	Too high	Satisfactory	...	Raise

Source: UNPD (2008)

Table 2. Foreign-born Persons with Tertiary Education and Percentage of Educated Among Foreign-born

	Foreign-born	Tertiary		Ph.D.	
		Number	Percentage	Number	Percentage
Australia	4,073,213	1,465,733	35.9%	120,729	2.9%
Canada	5,717,015	2,033,490	35.6%	69,300	1.2%
United States	34,634,791	8,204,473	23.7%	443,152	1.3%

Source: OECD 2004, foreign-born statistics from 2001.
 (Dommernik, J.; et al. (2009): "The Battle for the Brains. Why Immigration Policy Is Not Enough to Attract the Highly Skilled." German Marshall Fund Paper Series, p. 6 + 12)



Citizenship- / residence-for-cash



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Weltweites Geschäft mit Staatsbürgerschaften und Niederlassungsbewilligungen

Ausgewählte Länder mit speziellen Programmen für vermögende Investoren

● Aufenthaltsbewilligungen ● Staatsbürgerschaften

Kanada

USA

- Investition in die Wirtschaftsförderung von mind. 500 000 \$ oder
- Investition von mindestens 1 Mio. \$ in ein neues Geschäft

Antigua und Barbuda

- Investition von mind. 400 000 \$ in ein genehmigtes Immobilienprojekt oder
- Investition von mind. 250 000 \$ in den nationalen Entwicklungsfonds oder
- Investition von mindestens 1,5 Mio. \$ in ein Geschäft als einzelner Anleger bzw. eine gemeinsame Investition in der Höhe von mind. 5 Mio. \$, wobei jeder Beteiligte mind. 400 000 \$ investieren muss.

St. Kitts and Nevis

- Investition von mind. 400 000 \$ in ein genehmigtes Immobilienprojekt oder
- Investition von mind. 250 000 \$ in die Sugar Industry Diversification Foundation (SIDF)

Dominica

- Einzelperson zahlt 100 000 \$ an die Regierung (ohne Gebühren), Ehepartner zahlen 175 000 \$ und Familien 200 000 \$ (ab drittem Kind unter 18 Jahren zusätzlich je 50 000 \$)

Portugal

- Mindestens 500 000 € in Immobilien investieren oder
- Kapitaltransfer über 1 Mio. € oder
- Investitionen, die mind. 10 Arbeitsplätze schaffen

Belgien

Jersey

Grossbritannien

- Investition in britische Staatsanleihen oder Kauf von Aktien oder Anleihen britischer Firmen über 1 Mio. £ für 5 Jahre / 5 Mio. £ für 3 Jahre / 10 Mio. £ für 2 Jahre

Monaco

Schweiz

- Pauschalbesteuerung je nach Kanton unterschiedlich, aber mindestens 150 000 Fr.
- Keine Mindestinvestition

Zypern

Malta

- Mindestens 350 000 € in Immobilien investieren oder Immobilien mieten mit jährlicher Miete von mindestens 16 000 € (Haltedauer: mindestens 5 Jahre)
- Beitrag von 650 000 € in den National Development and Social Fund

Vereinigte Arabische Emirate

- Investition über mindestens 150 000 € in bestimmte Aktien, Anleihen oder Anlagevehikel (Haltedauer: mindestens 5 Jahre)

Singapur

- Mindestinvestition über 2,5 Mio. sing. \$
- Aktive Geschäftstätigkeit über drei Jahre

Montenegro*

- Österreich
- Aussergewöhnlicher Gewinn für das Land in wissenschaftlicher, kultureller oder wirtschaftlicher Hinsicht
- Investitionen in substantieller Höhe in die österreichische Wirtschaft, die Arbeitsplätze schafft oder die Exporte ankurbelt

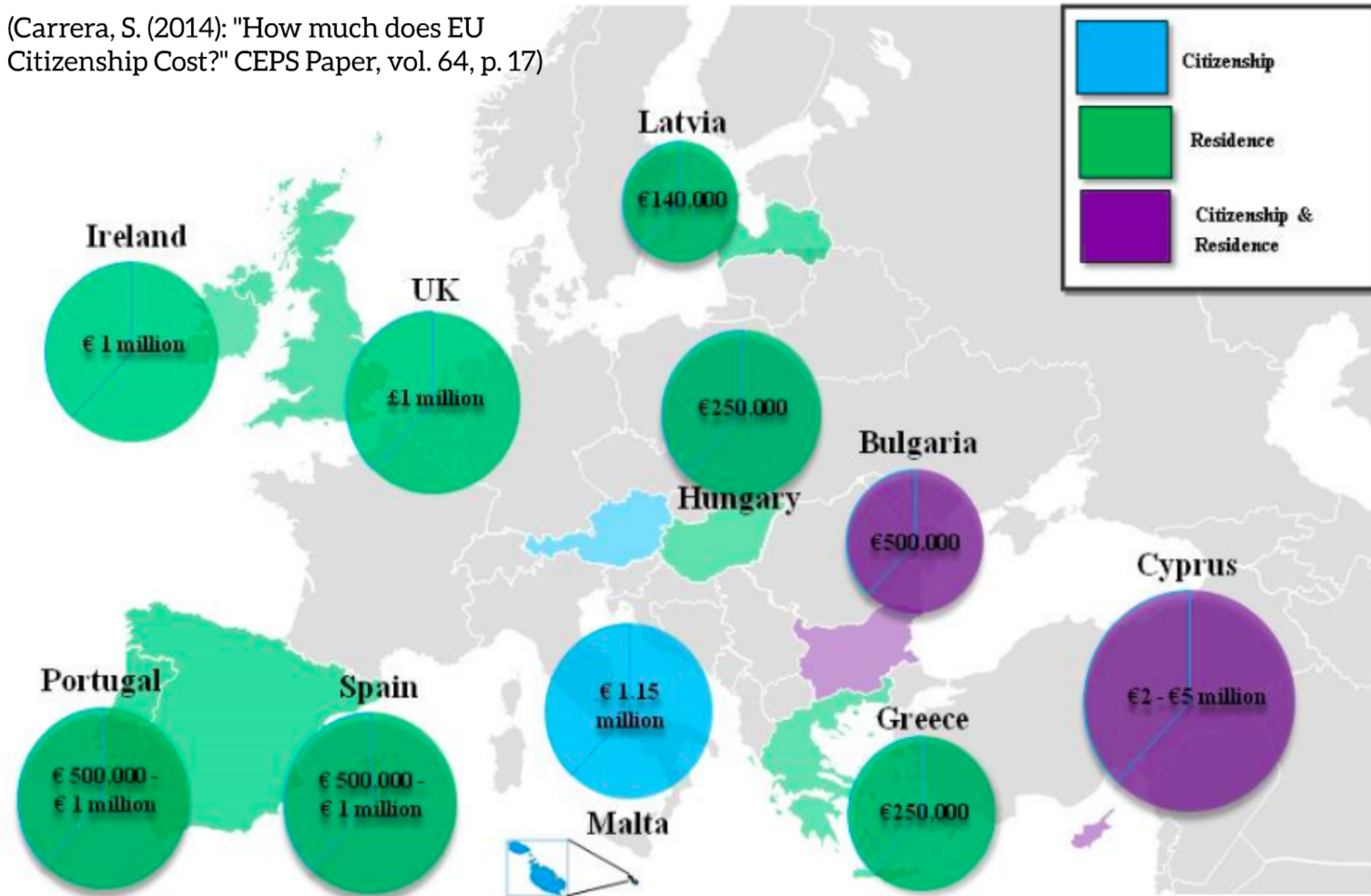
Bulgarien*

(Gratwohl, N. (2014): "Pässe zu verkaufen." Neue Zürcher Zeitung, 20/08 edition)

* Bürgerrecht gelegentlich vergeben, aber keine etablierte Praxis

Map 2. How much do European citizenship and residence cost in the EU?

(Carrera, S. (2014): "How much does EU Citizenship Cost?" CEPS Paper, vol. 64, p. 17)



Source: Author's own compilation.

"Competition for Talent"

Skilled / Educated



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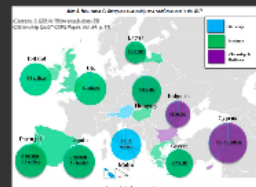
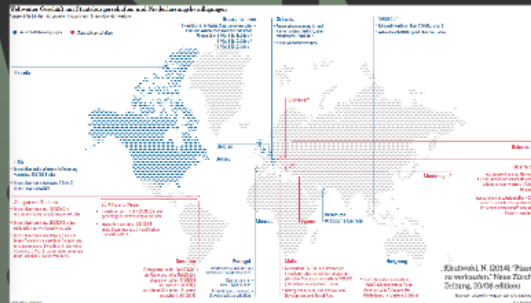
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Citizenship- / residence-for-cash



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Motivated by conflict, poverty, missing perspective, "European dream", send remittances...

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Integration has multiple meanings



Focus here on "Integration Exams"





BUT:






"Competition for Talent"

Skilled / Educated

Citizenship / residence-for-cash

Two challenges

Alternatives are not necessary

International Law

European migrants' detention is in order to improve the future prospects. Politicians "have to ensure that the return process is people-friendly". If and if only their own government has it is proceeding to persecute them (HURRIC)

Focus here on inherent possibility of return

2) Focus on whether or not there are any alternatives to return

3) Focus on whether or not there are any alternatives to return

4) Focus on whether or not there are any alternatives to return

Four conditions of migrants' voluntariness

Ottonelli & Torresi (2013):

- 1) Non-Coercion
- 2) Sufficiency
- 3) Information
- 4) Exit Options

Migra

Four conditions of migrants' voluntariness

Ottonelli & Torresi (2013):

- 1) Non-Coercion
- 2) Sufficiency
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- 4) Exit Options

Focus here: no inherent possibility of return

“[B]ecause while they are away, migrants have been uprooted from their culture, lost connection with the sending society, or have lost the capacity to procure for themselves the means for a decent life once back home. [...] [T]he existence of ‘exit option’ is to be understood not as the mere physical possibility to exit the host country.”

Ottonelli & Torresi (2013, p. 802)

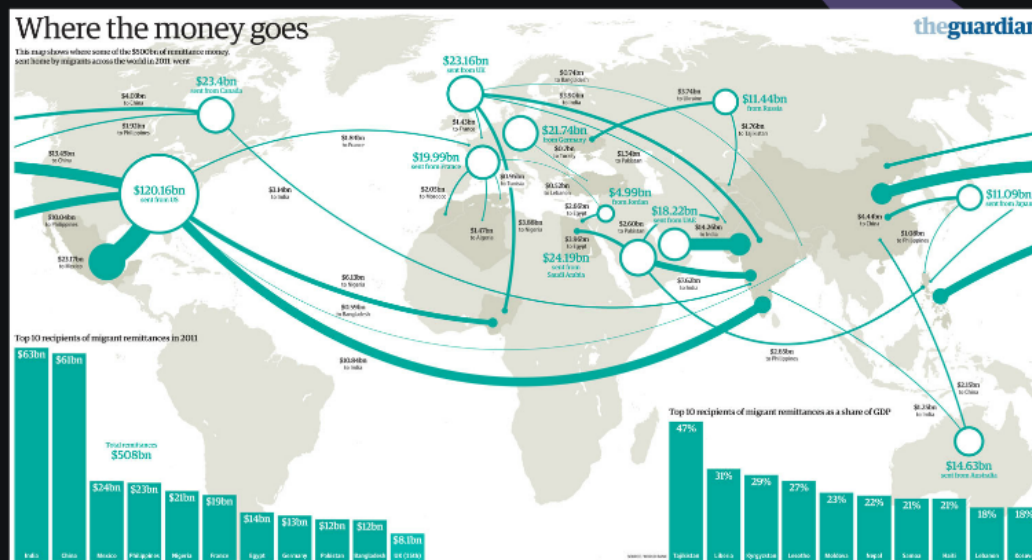
When and why is return no alternative?

- adverse conditions back home (in multiple dimensions): **push** factors
- too high investments at stake
- family expectations: “having succeeded”, send remittances, etc.



When and why is return no alternative?

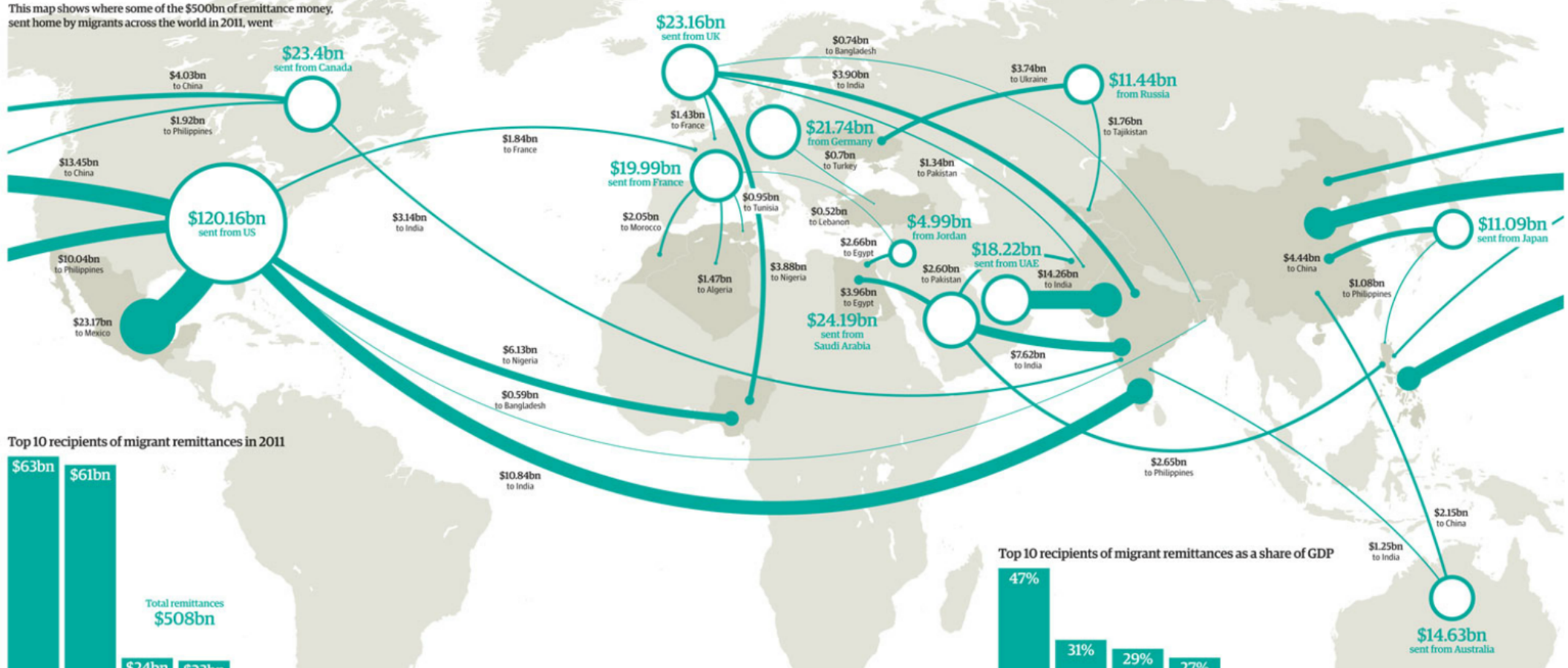
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needed", send remittances

Where the money goes

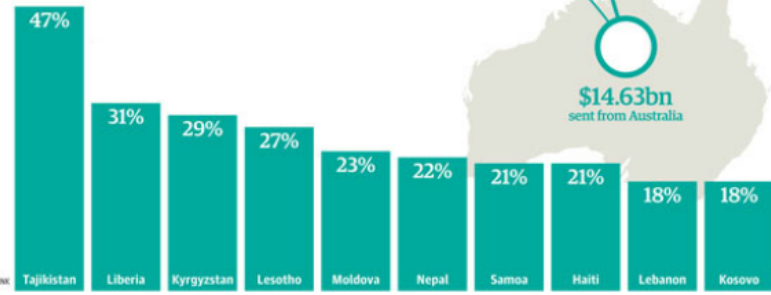
This map shows where some of the \$500bn of remittance money, sent home by migrants across the world in 2011, went



Top 10 recipients of migrant remittances in 2011



Top 10 recipients of migrant remittances as a share of GDP



SOURCE: WORLD BANK

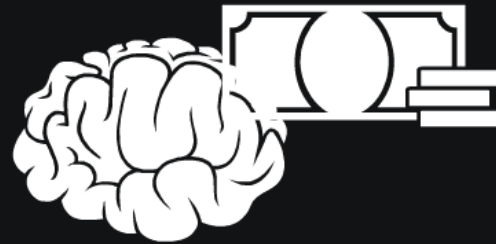
The background of the slide features a large, light blue UNHCR logo, which consists of a globe surrounded by olive branches. The logo is centered and partially obscured by a white text box. The text box has a dark grey header and a white body. The background of the slide is dark blue with stylized, branching patterns in shades of purple and green.

International Law

Economic migrants "choose to move in order to improve the future prospects." ***Refugees*** "have to move" to "save their lives or preserve their freedom [...] [And] it is often their own government that is threatening to persecute them." (UNHCR)

Two challenges

1. Alternatives are not necessary



2. Someone needs to cause involuntariness



Two challenges

Alternatives are not necessary

International Law

European migrants' detention is in order to improve the future prospects. Returns have to ensure that the returnees do not lose their freedom. If and if only their own government has it is possible to persuade them (HUNIC)

Focus here on inherent possibility of return

2) Focus on whether or not there are any alternatives to return. If not, then the capacity to return to the country of origin is a key factor. 3) The existence of an alternative to return is a key factor in determining the possibility to exit the host country. 4) The existence of an alternative to return is a key factor in determining the possibility to exit the host country.

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Migra

Three conclusions

1

Voluntariness - Integration

- Assessing voluntariness externally, i.e. on the basis of alternatives and consequences
- If most migration is not fully voluntary, then the nature of liability should change (kind and constitutions of integration)



2

Graduality

- Threshold between 'voluntary' and 'involuntary' migrants questionable
- Analysing quality of alternatives allows for gradual voluntariness and liability



3

A Trade-off?

- If other reasons warrant integration, they have less moral strength



- If voluntariness - integration link sound, then reverse exemptions

THANK YOU!

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Contact: dorian.helm@gmail.com

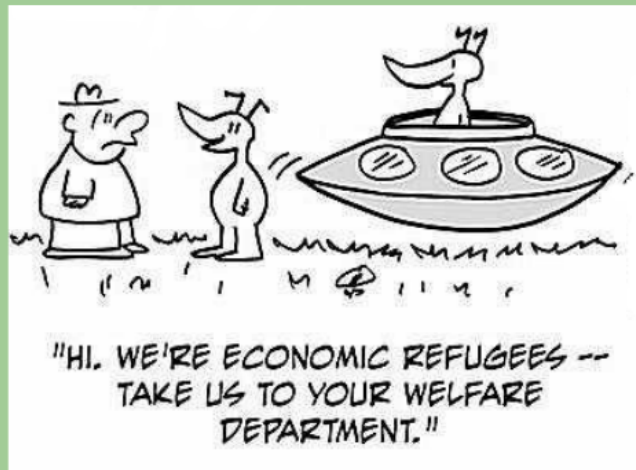
Voluntariness - Integration

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**ECONOMIC REFUGEES
ARE NOT WELCOME
BUT WHAT ABOUT
ALL THOSE
BUSINESSMEN
FROM ABROAD**

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Competition for Talent?



"[S]uccess in attracting highly-skilled migrants may be less a matter of picking the right technical approach and more a function of the interplay of larger economic trends, educational systems, research funding, recognition of professional qualifications, and other social factors" (Dommernik et al. 2009, p. 3).

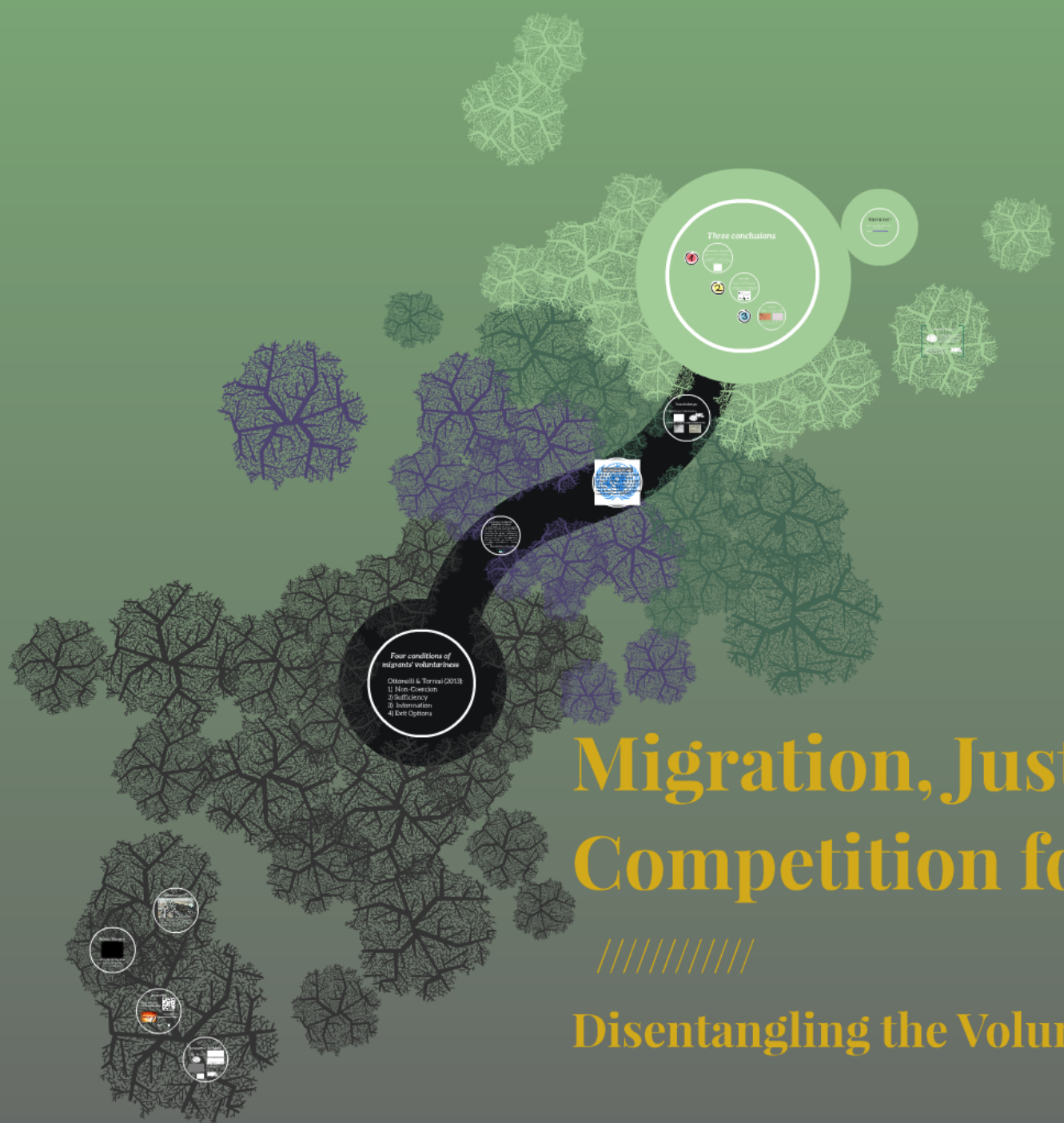
"[O]ne of the main challenges faced by the Irish naturalisation by investment programme was that there was little evidence that the criteria for the granting of Irish nationality-by-investment were always met by the applicants and allegations of corruption, favouritism and bribes by the government" (Carrera, 2014, p. 12).



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