1. Circular migration (CM) in the contemporary policy debate

International migration is a complex phenomenon and an intrinsically divisive issue. It does inevitably entail both costs and gains for the different parties involved (migrants; their families; sending/transit/receiving societies; sending/transit/receiving states and local authorities; etc.). With the growing politicisation of migration that has been taking place, first in traditional immigration countries and then worldwide, over the last decades, the search for more efficient, balanced and equitable policy approaches have been intensified. “Maximise gains and minimise costs” of international migration has become a slogan guiding many intellectual and political exercises, and a standard goal for migration policy-making at international level. “Circular migration” (CM) has emerged in the last few years as a possible way to ensure such highly desirable overall goal.

At global level, the concept of CM was made popular and strongly endorsed in its 2005 Report by the Global Commission on International Migration (GCIM), appointed by the former Secretary General of the United Nations, Kofi Annan. On the basis of the (somehow apodictic) assessment that “the old paradigm of permanent migrant settlement is progressively giving way to temporary and circular migration” (GCIM 2005, p. 31) the GCIM devoted one of its Final Recommendations to the need of boosting circularity:

States and international organizations should formulate policies and programmes that maximize the developmental impact of return and circular migration (GCIM 2005, p. 80, Recommendation No. 11).

Also the Global Forum on Migration and Development (GFMD), a follow-up of the High-level Dialogue on International Migration and Development held at the UN General Assembly in September 2006, has given specific attention to the concept, although with a series of methodological caveats:

Circular migration should be tested concretely as a mutually beneficial policy arrangement between origin and destination countries. More information is needed about the effectiveness of current schemes, with a view to improving them; and the broad working definition should be more detailed to facilitate future evaluations. Pilot projects should be attempted, with proper monitoring in order to assess their effectiveness and relevance (GFMD 2007, p. 8).
At its first meeting in Brussels (July 2007), the GFMD also decided two important follow-up activities on circular migration in view of the next Global Forum (Manila, 2008): i) a workshop on circular migration co-organised by Mauritius and the European Commission, scheduled for September 2008; ii) an independent assessment of “the development impacts of skills circulation models, such as MIDA (Migration for Development in Africa) and TOKTEN” aimed at assessing the “feasibility of scaling them up and/or expanding them for greater development impact in the country of origin.” (GFMD 2007, ibidem).

Over the last few years, also some important international organisations (IOM 2005; World Bank 2006) have been embracing the concept of CM, although to different extent and on the basis of different definitions and approaches.

At EU level, CM has been a matter of specific policy attention since at least 2005, when the Communication on Migration and Development focused on temporary and return migration primarily as potential ways to maximise the developmental impact of migration and to foster brain circulation (European Commission, 2005a). Later that year, the Policy Plan on Legal Migration (European Commission, 2005b) focused more on possible EU “instruments to support circular and return migration” (par. 5.1.) and formulated a Roadmap for the proposed measures (Annex I).

In December 2006, under the heading “A comprehensive European migration policy”, the European Council deliberated, among other items, that “while respecting the competences of Member States in this area, consideration will be given to how legal migration opportunities can be incorporated into the Union’s external policies in order to develop a balanced partnership with third countries adapted to specific EU Member States’ labour market needs; ways and means to facilitate circular and temporary migration will be explored”. The Commission was thereby invited “to present detailed proposals on how to better organize and inform about the various forms of legal movement between the EU and third countries by June 2007” (European Council, 2006, point 24, lett. a), p. 9).

In response to this invitation, on 16 May 2007, the European Commission issued a Communication “On Circular Migration and Mobility Partnerships between the European Union and third countries” (European Commission 2007). As we will see in more details below, this document attempted to clarify the concept, to suggest legislative innovations by which the EU legal framework could be made more conducive to CM, and to indicate concrete measures potentially useful for the general goal of boosting circularity.

The Council welcomed Commission’s ideas and, in December 2007, it adopted a set of Conclusions “on mobility partnerships and circular migration in the framework of the global approach to migration” (Council of the European Union 2007). On the basis of a first round of discussions on CM, the Council (point 16) took note of a series of “possible elements which could be addressed when facilitating circular migration” (also, but not necessarily, within broader “mobility partnerships”). But most of these elements (such as, for instance, an “improved mutual recognition of qualifications” or “advice and assistance on managing remittances”) are not necessarily connected with CM schemes and are perfectly reasonable and desirable also in the framework of a more traditional “linear migration” approach.

To conclude this overview, it is worth noting that also experts and scholars have recently been devoting increasing attention to the concept of CM, largely as a reaction to its prominence in the international policy agenda. Most literature is cautious, and in some cases openly critical, towards policy applications of CM (see, for instance, Angenendt 2007; Bieckmann & Muskens 2007; Castles 2006a; Castles 2006b; Graeme 2003; Ruhs 2005; Vertovec 2007).
2. The need to better define circular migration

Circular migration has therefore become a standard reference for migration policy planning at different levels. But what is meant by and what is expected from CM? In broad policy discourses, there is an apparent consensus on CM as a potential “win-win-win solution”, i.e. a model of migration management that would maximise gains and minimise costs of international human mobility for both sending and receiving states, and for migrants themselves. But if one scratches the surface of this rather superficial political rhetoric, it becomes soon clear that most of the time, by CM, different stakeholders mean different things. By some receiving states’ governments, CM is more or less explicitly seen as a solution for importing much needed low-skilled foreign labour, without any stable incorporation of those workers and their families in the social fabric, and thereby without arousing serious negative reactions by public opinions who are largely opposed to new immigration. On the side of sending states, instead, CM is often viewed as a model that would allow maintaining solid ties with emigrants, ensuring steady and sustained remittances flows, and avoiding permanent loss of human capital (brain/skill/care drain). Finally, as far as migrants are concerned, circularity is often considered as a desirable situation, but only inasmuch as it means greater freedom of circulation between the host and origin countries, not when it means only temporariness of stay.

If priorities and interests are – as it is obvious and, one could say, “physiological” – different, if not necessarily diverging, CM is not per se and spontaneously a matter of convergence and international consensus. Rather, in order to become a viable, effective and sustainable policy approach, CM needs to be a matter of debate, research, consultation and negotiation. In order to allow for such a debate and negotiation to be clear and productive, it is necessary to base them on some shared concepts and definitions.

Circular vs. linear
At a first level of analysis it is useful to oppose circular migration to linear migration. The commonsense notion of international migration is still very much based on a linear conception, whereby a migrant is someone who leaves forever one country for another. In reality, particularly for economic migration, this has very seldom been the case, even in the past. For instance, of around 27 millions Italians who emigrated between 1861 and 1976, it is calculated that around one third returned definitively to Italy. If no economic migration has ever been a totally linear, one-way and final movement, this is even less true in an age of much easier and much cheaper transport and communication. From this point of view, all migration is to some extent circular. It is the nature and degree of circularity (frequency, causes) which really matters.

One-shot vs. recursive
From the point of view of frequency, a substantial difference exists between one-shot circularity, i.e. an emigration followed by a return migration, and recursive circularity, that is a serial form of human mobility, whereby a person leaves and returns to his/her country of origin several times in his/her life.

Short-term vs. long-term
International human mobility of a circular nature can take very different forms depending also on the length of stay in the receiving country each time. If the stay is limited and inferior to three months, according to Schengen acquis and established EU terminology, one should not talk about migration but rather short-term circulation. There is an increasing scientific evidence and political awareness that also short-term circulation, particularly for students, researchers, artists, officials, and other skilled and highly-skilled workers, may have (and usually has) a beneficial impact on the economic and cultural development at both poles of such mobility. This is the most important
rationale behind visa-facilitation programmes and agreements currently in force or being negotiated both at national, bilateral and EU level (for instance, with Russia, Ukraine and the Western Balkans). However important, visa-facilitation measures for short-term circulation do not fall, in our opinion, in a strict definition of CM.

If the stay is longer than three months but shorter than 9 months (average; with some variations in national legislations), European legal systems usually talk of *seasonal migration*. There are different opinions on whether seasonal migration should or should not be included under the heading CM. Considering the broad definition of circular migration given by the European Commission in its 2007 Communication (“Circular migration can be defined as a form of migration that is managed in a way allowing some degree of legal mobility back and forth between two countries”; European Commission 2007, p. 8), our opinion is that it is useful to include seasonal migration management in the agenda of the Rabat meeting of experts on legal migration.

When facing forms of circular labour mobility with periods of stay longer than 9 months, one can undoubtedly talk of CM. It is generally accepted in the European policy debate, that when the period of stay is longer than 5 years (minimum length necessary to apply for “long-term resident status” under EC law) it would generally not be legitimate nor desirable to enforce any form of circularity. Obviously, there may be a long-term form of spontaneous circularity, for instance when a migrant worker returns to his/her country of origin at the end of his/her working life.

**Tab. 1: Length of stay and types of mobility**

<table>
<thead>
<tr>
<th>Length of stay</th>
<th>Type of mobility</th>
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<tbody>
<tr>
<td>Under 3 months</td>
<td>short-term mobility</td>
</tr>
<tr>
<td>Under 6-9 months</td>
<td>seasonal migration (circular migration)</td>
</tr>
<tr>
<td>Under 5 years</td>
<td>temporary migration (circular migration)</td>
</tr>
<tr>
<td>Over 5 years</td>
<td>long-term migration</td>
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*Spontaneous vs. managed, non-coercive vs. coercive*

One final and crucially important parameter for distinguishing between different forms of CM pertains to the determinants of circularity. The key question here is about the relationship between migrants’ behaviours and public policies (primarily those carried out by receiving states): is circularity (of whatever sort) taking place spontaneously, i.e. independently of any ad hoc policy by public actors, or is it influenced by specific policy choices and measures? In the latter case, are such measures compulsory or optional? Are they based on sanctions or on incentives? From a policy point of view, this is probably the most important criterion to classify policy approaches to CM (Fig. 1).

**Fig. 1: A basic typology of circular models of migration management.**

- Spontaneous circularity (no ad hoc policy)
- Circular migration
  - Non coercive circularity (targeted incentives)
  - Managed circularity (ad hoc policies)
  - Coercive circularity (sanctions: generally expulsion)
3. The European experience and understanding of circular migration

Since its very foundation, the European Economic Community (later EC) has been based on the shared conviction of the deep and virtuous linkage existing between spontaneous circular migration (or freedom of circulation, if you prefer) and common development (or co-development, to use a more fashionable term). In recent years, a very important phenomenon of large-scale spontaneous circularity has been the intense intra-EU circulation of workers from new Member States since the 2004 and 2007 enlargements. It is too early to foresee which part of Polish migration to the UK and Ireland, or of Romanian migration to Italy and Spain will prove temporary and which part will return. Existing empirical evidence, however, suggests that a significant share of such migration is recursive (“shuttle migration” is the phase often used) and that stable returns are becoming more frequent. Such trend is likely to grow with the increasing economic convergence between eastern and western Europe.

It is also important to stress here that the legal systems of most immigration countries (including in the EU) provide for some form of coercive circularity. Think, for instance, of the obligation to leave the country for foreign students having finished (or failed) their studies, or for seasonal workers at the end of the harvest or of the tourist season. The obligation to leave may be accompanied by targeted incentives (for example, priority in admission for the following year is an ever more widespread type of measure) and it may be leniently enforce (as it often happens with international students) but in principle these are all cases of coercive circularity.

In the European policy practice of the last decades (at least since the awareness of the failure of Gastarbeiter systems spread in Germany, Switzerland and elsewhere over the 1970s), however, a general principle has been taking shape, although with some national variants. Such meta-rule inhibits (and sometimes definitely prohibits, for instance on the ground of family reasons) the expulsion for purely economic reasons (loss of work, unemployment) of a migrant worker who had until then been staying legally and for a certain number of years (five years is now a common EU threshold for the stabilization of residence rights). This is a key feature of contemporary European migration policy systems, which distinguishes them very clearly from the situation in non-liberal immigration countries – such as Malaysia or Libya – where long-term coercive circular migration schemes are the rule.

On the background of what has been said until now, we may try to better understand which kind of circularity are European institutions – i.e. the Commission, with a strong support by the Council and a more nuanced backing by the EP (European Parliament 2007) – trying to promote. As already said, the main policy document – i.e. the already cited Communication of May 2007 - provides only a very broad definition of CM, as “a form of migration that is managed in a way allowing some degree of legal mobility back and forth between the two countries” (COM(2007) 248 final, p. 9). Beyond this general definition, two fundamental aspects of the Commission’s approach to circularity seem worth stressing here: it is a i) bidirectional and ii) incentive-based approach to CM.

i) Bidirectional approach
As the Commission clearly states – the proposed strategy covers both “circular migration of third-country nationals settled in the EU” and “circular migration of persons residing in a third country”. Whereas the first category of CM (from the EU to country of origin) has not been a subject for ad hoc measures and policies so far, the second category, as the Commission recognises, already “covers a wide array of situations […] including: Third-country nationals wishing to work temporarily in the EU, for example in seasonal employment; Third-country nationals wishing to study or train in Europe before returning to their country” and several others (some of which are listed at p. 9).
The distinction between “CM of third-country nationals settled in the EU” and “CM of persons residing in a third country” is crucial, in particular in the Euro-African relations. The first category refers primarily to some sort of “temporary productive return” (for instance of high-skilled migrants willing to engage in some development cooperation project, or to start a business in the origin country). The second category, on the other hand, includes different forms of “temporary immigration” (seasonal workers, students, trainees, etc.) (Fig. 2).

Fig. 2: Two basic types of managed circular migration (COM(2007) 248)

ii) Incentive-based approach
This aspect of the EU approach to CM is less clear and surrounded by some undeniable (and possibly inevitable, maybe even constructive, at this early stage) ambiguity, which needs to be dispelled through further preparatory research, debates and negotiations. However, although an obligatory dimension of CM is not ruled out (the May 2007 Communication underlines the need of “ensuring effective return”), the Commission focuses on incentives rather than on enforcement and sanctions. The envisaged incentives are basically of two kinds:

i) Administrative incentives, consisting in guarantees that by circulating (i.e. returning temporarily or more steadily to the origin country) the migrant will not lose her/his right of stay or future admission opportunities (e.g. through fast-tracks or priority admission channels) to the EU;

ii) Material incentives, consisting for instance in: better access to credit to start productive activities in sending country; reintegration premiums; improved transferability of pension rights; support for temporary return of high-skilled migrants etc..

Circular migration is certainly nothing new in Africa. Particularly in the western part of the continent, a certain degree of spontaneous circular mobility between more arid and more wet regions, between internal and coastal zones, as later also between rural areas and cities, has been a crucial socio-economic feature for centuries (see, for an in-depth case study, Rain 1999). For entire populations, such traditional circular migration represented an economic strategy, but permeated also culture and social organisations. These traditional patterns of mobility have been deeply altered already in pre-colonial and colonial time, namely by slave trade and later forms of forced displacement of indigenous labour. Nevertheless, a culture and practice of local and regional mobility has survived in large areas of western Africa and elsewhere on the continent. The development of post-colonial poles of economic development, and nowadays the insertion of African economies in the stream of globalisation, have added new patterns to this complex system of regional and cross-regional mobility (for an interesting overview of recent trends, see IMI 2007). Recent policy developments at continental and regional level in Africa have emphasized the importance of intra-African legal mobility of labour as a condition for African development (African Union 2006; see also the recent ECOWAS “Common approach on migration”, adopted at the 33rd Summit of Heads of State and Government in Ouagadougou on 18 January 2008). To this purpose, the “African Common Position on Migration and Development” adopted by the AU in Banjul (June 2006) remarks that:

On-going processes of regional economic integration in Africa -through Regional Economic Communities (RECs)- are increasingly taking account of managed cross-border labour movements that lead to better labour allocation within larger labour markets. RECs constitute a key factor for facilitating co-operation in the area of labour mobility at the regional level and for promoting economic development.

Giving support to policies aimed at promoting intra-African international mobility, with special regard to the case of ECOWAS, is a long-term strategic interest of the EU as well. This was explicitly and solemnly recognized in the Joint Africa-EU Strategy adopted at the Lisbon Summit in December 2007, on the basis of the important legacy of the Rabat Declaration of July 2006 and of the Tripoli declaration of November 2006. The Joint Africa-EU Strategy now incorporates and further reinforces this important acquis where it states that:

68. Migration and mobility are interwoven with the history of human development and should be treated as largely positive phenomena. Acknowledging this, Africa and the EU will pursue and implement policies and programmes that address all relevant dimensions of migration, including circular migration. These efforts will aim to promote and better manage legal migration and mobility with a view to supporting the socio-economic development of both countries of origin and countries of destination (Africa-EU 2007a; emphasis added).

According to the First Action Plan (2008-2010) for the implementation of the Africa-EU Strategic Partnership, also adopted in Lisbon, the support to legal migration (including CM) within Africa goes hand in hand with the priority given to the objective “to better manage legal migration between the two continents” also through “Enhanced mechanisms to facilitate circular migration between Africa and the EU” and through “appropriate incentive mechanisms [to] encourage the retention and return of key qualified personnel” (Africa-EU 2007b, p. 37). These are the political foundations over which this meeting of experts is called to build.
5. Some key policy questions on circular migration

A) Are circular migration schemes desirable? Which types of circularity (one-shot/recursive; short-term/long-term; spontaneous/managed; coercive/non-coercive; temporary immigration/temporary return) do you see as more promising and viable?

B) In case you view favourably temporary immigration schemes, which would be the ideal length of stay in the receiving country? Do you think that such schemes would be appropriate only for seasonal migration or also for longer periods?

C) Which type of sanctions and/or incentives do you think would be more useful to make CM schemes most effective?

D) In which economic sectors and at which stage of the worker’s career (training, maturity, pre-retirement or retirement stage) do you think CM schemes would be more viable and effective for sending and receiving states (and welcome for migrant workers)?

E) European institutions envisage CM as a possible component of “mobility partnerships”. Do you think that CM schemes could be implemented also separately from broader mobility partnerships?

F) In case you have a positive view of CM, which do you think would be the most appropriate institutional framework(s) for developing Euro-African CM schemes (e.g.: Africa-EU Strategic Partnership on Migration, Mobility and Employment; EU-ECOWAS relations; bilateral relations between African States and EU Member States; others)?

G) Do you think that intra-African CM schemes could be a viable and effective approach for promoting a more virtuous relationship between international mobility and development in the continent? If so, at which level should such schemes be implemented (bilateral, regional, cross-regional, continental)?

H) Some argue that circularity could be detrimental to integration and social cohesion in the receiving country. Do you think that this is a real risk? If so, which measures could be implemented in order to better conciliate circularity and social cohesion in the receiving country?

I) Some argue that circularity might hamper the development of stable and trust-based labour relations, as create obstacle to on-the-job training, and therefore negatively affect competitiveness and productivity of receiving countries’ enterprises. Do you think that this is a real risk? If such negative effect is foreseeable, which measures could be adopted in order to prevent it?

J) Circularity is likely to prevent or reduce upwards social and economic mobility of migrants in the receiving societies. Do you agree? Do you view this as a problem? Do you envisage possible solutions?
REFERENCES


