

ACP-EU JOINT PARLIAMENTARY ASSEMBLY

28.6.2007

ACP-EU/100.012/07/fin.

RESOLUTION¹

on migration of skilled workers and its effect on national development

The Joint Parliamentary Assembly,

- meeting in Wiesbaden (Germany) from 25 to 28 June 2007,
- having regard to Articles 177, 178, 179, 180, 181 and 181a of the Treaty establishing the European Community,
- having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 (the ‘Cotonou Agreement’)², and amended in Luxembourg on 25 June 2005³, and in particular Article 13 thereof on migration,
- having regard to the communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions entitled ‘Migration and Development: some concrete orientations’⁴,
- having regard to the communication from the Commission to the Council and the European Parliament entitled ‘EU Strategy for Action on the Crisis in Human Resources for Health in Developing Countries’⁵,
- having regard to the communication from the Commission to the Council entitled ‘Contribution to the EU Position for the United Nations’ High Level Dialogue on Migration and Development’⁶,
- having regard to the communication from the Commission to the Council and the European Parliament entitled ‘The global approach to migration one year on: towards a comprehensive European migration policy’⁷,

¹ Adopted by the ACP-EU Joint Parliamentary Assembly on 28 June 2007 in Wiesbaden (Germany).

² OJ L 317, 15.12.2000, p. 3.

³ OJ L 287, 28.10.2005, p. 4.

⁴ COM(2005)0390.

⁵ COM(2005)0642.

⁶ COM(2006)0409.

⁷ COM(2006)0735.

APP/100.012/A/fin.

- having regard to the European Commission’s Policy Plan on Legal Migration⁸,
- having regard to the Summit of Heads of State and Government of the African Union (AU), held in Khartoum on 23-24 January 2006, which reaffirmed the scope and impact of migration on development,
- having regard to the report adopted by the plenary session of the Meeting of Experts from the EU, Latin America and the Caribbean on Migration in March 2006,
- having regard to the Brussels Declaration and Plan of Action on Asylum, Migration and Mobility, adopted at the first Meeting of ACP Ministers in charge of Asylum, Migration and Mobility, held in Brussels on 13 April 2006,
- having regard to the Joint Africa-EU Declaration on Migration and Development, adopted at the EU-Africa Ministerial Conference held in Tripoli on 22-23 November 2006,
- having regard to the outcome of the EU-Africa Ministerial Conference on Migration and Development held in Rabat on 10-11 July 2006,
- having regard to United Nations General Assembly resolution on ‘International migration and development’⁹,
- having regard to the conclusions of the European Councils of December 2005, March 2006 and December 2006,
- having regard to the outcome of the United Nations General Assembly High Level Dialogue on Migration and Development, held in New York on 14-15 September 2006,
- having regard to the report of the Secretary-General of the United Nations entitled ‘International migration and development’¹⁰,
- having regard to the report of October 2005 by the Global Commission on International Migration entitled ‘Migration in an interconnected world: New directions for action’¹¹,
- having regard to the report of June 2006 of the Organisation for Economic Cooperation and Development (OECD) entitled ‘Effects of migration on sending countries: what do we know?’,
- having regard to the report of 2002 of the OECD entitled ‘International mobility of the highly skilled’,
- having regard to the report of the World Bank entitled ‘Global Economic Prospects 2006: Economic Implications of Remittances and Migration’¹²,

⁸ COM(2005)0669.

⁹ A/RES/61/208.

¹⁰ A/60/871.

¹¹ www.gcim.org

¹² <http://www.worldbank.org/globaloutlook>

- having regard to the ‘Human Development Report 2001’ of the United Nations Development Programme (UNDP),
 - having regard to the European Parliament resolution of 6 July 2006 on development and migration¹³,
 - having regard to Article 17(1) of its Rules of Procedure,
 - having regard to the report by the Committee on Social Affairs and the Environment (ACP-EU 100.012/07/fin.),
- A. whereas the right of individuals to move abroad is an inalienable human right,
 - B. whereas international migration has become a priority issue on the international agenda, recently addressed by policy-makers at global, European, Euro-African levels and Euro-ACP nation state levels, and there is an increasing recognition that migration and development are closely interlinked at global level and that they influence each other,
 - C. whereas there is a growing consensus in policy circles that a better management of migrations may generate very important gains, perhaps more important than the removal of world trade barriers,
 - D. whereas Europe, both at Community and at Member State level, has not yet adopted an integrated migration policy, with migration, development, trade and security policies being run by various non-coordinated departments,
 - E. whereas there is no international consensus on the actual impact of the migration of the (highly) skilled for the countries of origin and the ‘brain debate’ is still marked by a considerable amount of confusion and frustration, especially due to the lack of reliable statistical data and the lack of impact assessment studies on potential policy recommendations to address the ‘brain drain’ phenomenon,
 - F. whereas the issue of the brain drain has not been sufficiently addressed in the framework of the EU-ACP dialogue,
 - G. whereas in most ACP countries over 10% of the tertiary-educated adult population have emigrated to the EU, North America and other developed countries, and sub-Saharan Africa is the region most severely hit by the migration of skilled workers, with almost the entire region witnessing a rate of tertiary-educated population living in OECD countries over 20%¹⁴, and some small countries reaching a dramatic rate of 80%¹⁵,
 - H. whereas, while the main centres of migration are Asia and Latin America, Europe’s

¹³ P6_TA(2006)0319.

¹⁴ OECD ‘Effects of migration on sending countries: what do we know?’ (2006).

¹⁵ Report of the Secretary-General of the United Nations entitled ‘International migration and development’ (A/60/871).

highly skilled migrants come mostly from Africa (13.5% of highly skilled EU residents born in non-OECD countries)¹⁶,

- I. whereas statistical data on migration flows from some countries in Africa are often incomplete and outdated, depriving policy-makers of an important tool with which to make decisions,
- J. whereas the UNDP has stated that the brain drain represents a loss of billions of dollars for developing countries¹⁷, given the importance of knowledge as a decisive factor of growth in a globalised world,
- K. whereas in sub-Saharan Africa, the brain drain can lead to labour shortages in vital sectors, particularly in health and education, with devastating consequences on the supply and quality of such essential services,
- L. whereas the departure of a skilled migrant signifies for the country of origin the loss of tax revenue and at worst a loss, at best no direct return, of investment in previous education and training of skilled professionals as well as a loss of skills and experience that would contribute to development,
- M. whereas the brain drain slows down the innovation process in sending countries, further harming the potential for economic growth,
- N. whereas the brain drain may have social effects on family composition, gender equality, and children's education and health,
- O. whereas the growth, health and education of the children of migrants are affected by migration, with either positive (remittances can relieve child labour and increase households' expenditure on education and health) or negative (family disintegration and stress, lower parental supervision can result in declining school attendance and results) outcomes,
- P. whereas many European countries have adopted legislation to facilitate the arrival of skilled workers, in particular by putting in place selective admission policies for migrants under the term 'chosen migration', in order to compete with North America to attract the most able citizens from developing countries, which has exacerbated the haemorrhaging of skills from many Southern countries, drastically in the case of sub-Saharan African countries,
- Q. whereas, while Europe and ACP countries have committed themselves to working towards the achievement of the Millennium Development Goals (MDGs), including achieving universal primary education (goal no 2), reducing child mortality (goal no 4), improving maternal health (goal no 5) and combating HIV/AIDS, malaria and other diseases (goal no 6), meeting those objectives could be threatened by the large-scale exodus of professors, doctors and nurses from ACP nation states to OECD countries and made more difficult by the lack of international regulatory frameworks designed to ensure

¹⁶ OECD, 'Effects of migration on sending countries: what do we know?' (2006).

¹⁷ UNDP, 'Human Development Report 2001'.

that the objectives are met,

- R. whereas skilled migration from developing countries to Europe is fuelled by economic factors (poverty, underdevelopment, low wages, poor education system, ageing and declining population in OECD countries leading to labour shortages), political factors (violence, conflicts, political repression, especially against intellectuals, aggravated by their exile) and – particularly for African countries – by geographical proximity, common language and colonial or historical ties,
- S. whereas manpower needs in European countries give rise to an adverse effect by draining the skilled labour force from ACP countries, thereby contributing to a decrease in the quality of life and public social services in ACP countries,
- T. whereas the issue of irregular or forced migration is being addressed in terms of security considerations, rather than in the wider context of development and taking account of the problems of migration in development strategies,
- U. whereas skilled migration can have positive consequences for the individual migrant, better economic prospects and higher salaries, for his or her family in the country of origin, and for the country of origin itself, in particular through the sending of remittances,
- V. whereas it is vital to note the positive contribution that migration could make to promoting better understanding amongst civilisations and cultures and to transcending post-colonial and territorial divisions through the establishment of relationships between states and peoples,
- W. whereas difficulties of integration experienced by migrants in receiving countries and of reintegration in their countries of origin, discrimination and ‘brain waste’ (where a migrant is hired below his/her skill level) can hinder migrants’ career development,
- X. whereas remittances are the second-largest source of external finance for developing countries, have a positive impact in countries of origin (mainly an increase in migrants’ families’ income and an increase in consumption and investment – fuelling, in turn, economic growth) and have a counter-cyclical effect in the event of economic crises, wars and natural disasters, but whereas up to 20% of their value is absorbed by handling charges,
- Y. whereas the effectiveness of voluntary codes of conduct on ethical recruitment (which in certain cases do not adequately comply with the provisions laid down by the International Labour Organisation (ILO)) has been called into question by experts and practitioners, particularly when limited to the public sector,
- Z. whereas circular migration (allowing two-way movement between countries of origin and destination) facilitates genuine international mobility, fosters international awareness and offers significant opportunities for the development of host countries and countries of origin, and should therefore be encouraged and facilitated,
- AA. whereas return migration has a better chance of addressing the brain drain and of

enhancing development when it is based on voluntary return of migrants to their countries of origin, especially if this is adequately supported,

- AB. whereas return migrants may, paradoxically, be extremely difficult to reintegrate into their countries of origin and may also be more vulnerable to unemployment in their countries of origin than people who have not migrated,
- AC. whereas there is evidence that gathering groups of migrants, such as diasporas, within national or transnational associations of migrants, and channelling their activities towards development, a phenomenon known as ‘co-development’, can have a very positive outcome for both receiving and sending countries,
- AD. whereas the ageing European population will put even more pressure on the skilled labour market and thus increase the problems already visible, and therefore a more responsible and better management of skilled labour migration will be necessary in the EU and ACP countries,
- AE. whereas ‘one-size solutions’ do not fit all; whereas better research into ACP national labour markets will therefore be necessary in order to bridge the information gap and to address the shortcomings of skilled labour migration more adequately,
1. Calls on the EU Member States and ACP countries to increase their efforts to meet their commitment to achieving the MDGs, and in particular halving extreme poverty in the world by 2015;
 2. Stresses the fact that the potential benefits of well-managed international migration can be greater than those generated by freer international trade;
 3. Points out that a bad and incoherent migration policy has enormous consequences in terms of individual suffering and permanent under-development;
 4. Urges the EU and ACP countries to address migration challenges, including the brain drain, in a spirit of true partnership for development, on the basis of the Cotonou Agreement and in particular Article 13 thereof, and develop specific migration policies and regimes towards developing countries from which skilled workers migrate on a wide scale, with particular regard to sub-Saharan African countries, with a view to mitigating the adverse economic and social effects of the migration of skilled workers;
 5. Expresses concern at the current migration policies of the European Commission and of EU Member States focused on security priorities rather than on development priorities;
 6. Expresses concern at the potential adoption by the EU of discriminatory practices amongst different categories of migrants and calls upon the European Commission to prevent it; calls, therefore, upon the Commission to extend to all categories of migrants the advantageous working and living conditions for highly skilled migrants, as suggested in the Policy Plan on Legal Migration¹⁸, soon to be reflected in a proper directive, such as an EU work permit (EU green card), issued by one Member State but valid throughout the

¹⁸ COM(2005)0669.

EU;

7. Stresses that EU development aid should be aimed at eradicating poverty, thus tackling some of the underlying causes of migration;
8. Stresses the need for integrated migration policies at international, regional (including EU and ACP levels) and national levels by ensuring mainstreaming of migration concerns in poverty reduction strategies and coherence between all policies that can influence migration, such as agriculture, fisheries, trade, development, security, justice and home affairs, and foreign affairs;
8. Urges the European Commission, EU Member States and ACP countries to address jointly migration and development policies and to explore synergies between them, in order to enhance the effectiveness of both policies;
9. Urges the EU Member States, international intergovernmental institutions and other relevant institutions to design and implement preventive measures and strategies intended to eradicate racial discrimination, xenophobia, ethnocentrism and related intolerance against migrants from ACP countries;
10. Believes that a common migration policy at EU level requires the extension of codecision with Parliament and qualified majority voting in Council, and calls on the Council to act accordingly;

Codes of conduct

11. Welcomes the April 2006 EU Council conclusions aimed at addressing labour shortages in the health sector in developing countries;
12. Calls on the European Commission and EU Member States to develop and implement, as stated in the April 2006 conclusions, an EU Code of Conduct (compliant with the ILO provisions) for ethical recruitment of health workers, and commends those EU Member States which have already done so, like the UK;
13. Recommends that the scope of the EU Code of Conduct be extended to other vital areas such as education and that an improved code be based on the objective that both public and private recruiters should adopt an ethical approach to, or even better abstain from, the hiring of skilled migrants working in any area in which their country of origin suffers from a drastic labour shortage;
14. Supports bilateral and multilateral agreements between countries of origin and receiving countries in order to:
 - (i) enhance the contribution to development;
 - (ii) build human and institutional capacity for maximising the benefits of migration;
 - (iii) provide improved social and economic conditions in countries of origin in order to minimise factors that make people leave their homes in search of self-improvement; and
 - (iv) promote advocacy and awareness-creation;

15. Stresses that a voluntary code of conduct on ethical recruitment, particularly if limited to the public sector, is a good measure but by no means enough to address the consequences of massive skilled migration – incentive measures in the countries of origin and the receiving countries are required;

Investing in education

16. Calls on the EU and ACP countries to significantly increase investments in training and education in developing countries, targeting sectors suffering from labour shortages, especially health and education;
17. Calls on the EU and ACP countries to create national and regional centres of excellence, especially in the form of universities and research institutes particularly in the field of health and education; further calls on the EU and ACP countries to create these multidisciplinary centres of excellence using European Development Fund (EDF) resources, as appropriate, in all sectors necessary for economic growth and sustainable development;
18. Believes that EU Member States and developing countries should adopt pro-active skills replenishment initiatives by investing significant resources in education; reiterates its support for the ‘20/20’ objective: 20% of public aid from the North and 20% of the national budgets of the South allocated to basic social services (health and education);
19. Calls on developing countries to invest the benefits of the oil boom in long-term strategies and programmes in education and training and to use that revenue in a transparent fashion;
20. Urges ACP countries to develop the potential sources of economic wealth that they possess and to pay special attention to developing human resources and generating employment in all relevant sectors, in order to stimulate skilled workers to stay in, or return to, their countries of origin;
21. Urges the European Commission to collaborate with the ACP Secretariat in order to identify economic support initiatives under the Cotonou Agreement which would enable countries of origin to improve their economic profile and cut the rate of illegal migration, thereby reducing the tension between partner states within the Joint Parliamentary Assembly (JPA);
22. Calls on the EU Member States to live up to their Lisbon targets, such as improving the quality of education and increasing female labour participation rates in order to increase the supply of skilled labour within the EU;

Brain waste

23. Stresses the negative effects of brain waste for all actors involved, since host countries cannot benefit from the migrant’s skills, countries of origin are confronted with a loss of investment and the migrant works below his/her skill level;
24. Urges the European Commission, the EU Member States and ACP countries to take decisive measures to tackle brain waste, such as international or bilateral mutual

recognition of diplomas and skills and explicit efforts to fight discrimination at the recruitment stage;

25. Calls on the European Commission to lay down proposals as regards the establishment of a European system of equivalences for foreign diplomas;

Remittances

26. Recalls the fact that remittances are and should remain private funds, that no compulsory use of remittances can be imposed on individuals and that remittances can in no way substitute for Official Development Assistance (ODA);
27. Calls on EU Member States and ACP countries to design and implement policies in order to maximise the positive impact of remittances by obtaining larger, faster, cheaper and better-channelled remittance flows, especially by cutting red tape and improving banking services for small transactions without over-regulating the market;
28. In particular, calls on the European Commission, EU Member States and ACP countries to implement policies aiming at:
- improving and enlarging access to financial institutions for migrants and for their families ('banking the unbanked')¹⁹,
 - supporting and actively encouraging financial institutions to explore strategies aimed at lowering the cost of sending remittances, in particular developing the use of new technologies,
 - stimulating transfer of remittances through tax exemptions, both in the country of origin and destination,
 - encouraging the channelling of remittances to development projects (mainly focused on education and health) by complementing remittances with national and local governmental contributions ('matching funds')²⁰,
 - creating innovative financial products for migrants, such as tax exempt 'savings for development' accounts in receiving countries, where migrants can save funds to be remitted at a later stage,
 - channelling remittances towards productive investment, by facilitating access to credit for micro-companies and SMEs and by improving the financial education of migrants and of their families,
 - making remittance transfers swifter and safer, in order to encourage migrants to use formal transfer systems, and ensuring the transparency of financial transactions through 'informal channels', particularly the hawala networks;
29. Warns, however, against the risk of over-regulating financial flows, which could impede or make difficult the flow of remittances, and calls on the EU Member States and the European Parliament to take these concerns into consideration when examining the

¹⁹ As the UK House of Commons International Development Committee puts it.

²⁰ Such policies have been successfully implemented by the Mexican '*Dos por uno*' programme and the Italian '*Juntos por los Andes*' initiative.

European Commission proposal for a directive on payment services in the internal market²¹;

Circular migration

30. Calls on the EU Member States and ACP countries to encourage circular migration by agreeing on tangible measures aimed at increasing flexibility of entry and readmission requirements and processes in both countries of destination and origin, longer and more flexible contracts and the option of re-entry for circular migrants;
31. Calls on the EU Member States and ACP countries to encourage circular migration by setting up 'dual post' systems for public sector personnel in Southern countries (teachers, researchers and doctors); calls once again on the European Commission to conduct a study on experiences in the EU Member States with regard to 'dual posts';
32. Believes that the directive on highly skilled workers now under preparation by the European Commission should pay due attention to the status of skilled migrants in order to provide them with an incentive for circular migration and/or temporary return;
33. Calls on EU Member States and ACP countries to undertake necessary actions to ensure pension portability, the portability of health benefits by migrants returning to their countries and the possibility to come back for healthcare in the country where services had been provided;
34. Calls on EU Member States and ACP countries to examine dual citizenship agreements in order to encourage circular migration and temporary return;
35. Calls on the EU to offer potential returnees the possibility to opt to come back to the EU during a certain period following their initial return;
36. Calls on the European Commission and the Member States to design specific initiatives, namely a specific budget line aimed at supporting voluntary return of migrants, in the framework of the thematic programme of cooperation with third countries in the areas of migration and asylum, with the following components:
 - involving return migrants in development programmes where they can successfully use their acquired skills and ensure proper reintegration in the community;
 - offering potential returnees professional and financial incentives, as well as adequate infrastructures to develop their profession;
 - improving access to loans and management training of return migrants in order to provide an incentive for the creation of small businesses;

Diasporas and co-development

37. Recognises the importance of diasporas and associations of migrants in strengthening relations between the EU and countries of origin, particularly in the field of migration;

²¹ COM(2005)0603.

- calls for closer cooperation between institutions in developing countries and the Member States, including in the carrying-out of co-development projects;
38. Takes the view that co-development, which consists in recognising and supporting the role of diasporas in serving the development of their countries of origin, should be fully recognised at European level;
 39. Calls on host countries and countries of origin to support, logistically and financially, the initiatives of diasporas and associations of migrants aimed at migrants' integration, collective transfer of remittances, investment projects in their countries of origin and the dissemination of information concerning acquired rights;
 40. Advises the governments of the countries of origin also to develop closer ties with migrants by setting up specific institutional platforms where various public actors work together;
 41. Recognises and encourages the strong involvement of diasporas in enhancing trade and economic cooperation between host countries and countries of origin, notably by removing information barriers;
 42. Encourages diasporas to engage in, and facilitate, skill and knowledge transfers, in particular by fostering the link between skilled workers living in OECD countries and those remaining in countries of origin, through the creation of transnational networks of scientists and researchers and of digital universities and the enhancement of e-learning, and welcomes the programmes managed by the International Organisation for Migrations ('Migration for Development in Africa') and by the UNDP ('Transfer of Knowledge through Expatriate Nationals') in this area;
 43. Welcomes the creation of migration research centres in Africa in the framework of the intra-ACP Migration Facility as sources of reliable data and additional tools for better policy-making and migration management, in particular by ACP governments;
 44. Welcomes the announced establishment of migration information and management centres²² to be founded under the EU Programme on Migration and Development for Africa with the objective of providing information and support to potential migrants and to returning migrants, and calls on EU Member States to support those centres financially and logistically;
 45. Recognises the substantial contribution of NGOs to improving the management of migration flows and, especially, to enhancing the contribution of migrants to the development of their own countries, and calls for adequate support to be provided to NGOs active in the field of migration;
 46. Stresses that the role of diasporas, migrants' associations and NGOs needs to be accompanied by a coherent and effective migration and development policy in the host countries and in the countries of origin;
 47. Instructs its Co-Presidents to forward this resolution to the ACP-EU Council, the

²² The first migration information and management centre will be created in Bamako (Mali).

European Commission and the AU.