

Notes from the NO EMN NCP Conference on

Sustainable migration from poor to rich countries: Towards a new refugee and migration system?

Oslo, 21 June 2018¹

Mr. Terje Sjeggstad, Director General of the *Ministry of Justice and Public Security* welcomed the participants and opened the Conference, observing that although “sustainable migration” is a new term, those who, like himself, was involved in preparing the Norwegian Government’s White Paper on the Refugee Policy (no. 17, 1994-95) might recognize ideas about a comprehensive refugee policy, focusing on solutions in the regions of origin, temporary protection, the migration-development nexus and so forth.

If one tried to google the concept ‘sustainable migration’ one year ago one would have 3-4 hits, today maybe 500. However, none of the hits would refer to any definition, content, objective and utility of this concept: the issues to be addressed at this conference. The focus “from poor to rich countries” was a required specification to make the topic relevant for immigration and integration authorities in the European context.

Mr. Øyvind Jaer, Senior Advisor of the *Ministry of Justice and Public Security* and coordinator for NO EMN NCP, moderated the event and gave necessary information about practicalities.

Mr. Tor Mikkel Wara, *Minister of Justice, Public Security and Immigration* opened the Conference and presented challenges that Norway and other European countries are facing with the enhanced immigration pressures from countries experiencing conflicts, natural disasters etc. The challenges of the future labour market arising from technological and demographic change as well as migration will also be pressing. Will we have any jobs to offer? The Minister hoped that the Conference would lead to a broader understanding of such challenges and inform the design and implementation of future migration policies.

Mr. Jørgen Carling, research professor at the *Peace Research Institute Oslo (PRIO)*, presented ways to understand the concept of *sustainable migration*² through the more established concepts of SDG 10.7, GCM and IOM. His own/PRIO’s definition emphasize costs and benefits to the individuals, societies and states affected today and in the future. Well-balanced distributions of these costs and benefits to all actors involved need to be ensured for migration to be sustainable. Ethical norms are important, but applying only some of them may result in contradictory policies. The tendency to exclude ‘refugees’ from the definition of ‘international migrants’ ignores the complexity on the ground.

¹ The Agenda is Annex 1 to these notes.

² A pre-prepared paper by him and collaborators at PRIO was made available to the conference participants, and is Annex 2 to these notes.

The term ‘sustainable migration’ tends to be interpreted differently depending on the listeners’ attitude towards international migration and may be used to advocate ‘liberal’ as well as ‘restrictive’ policies.

Professors Alexander Betts and Paul Collier, University of Oxford³, presented their framework of sustainable migration. A sustainable policy is based on a democratic mandate and does not lead to ‘blow up’ in the politicians’ faces. Their aim with the framework has been to create a common language to speak about migration and reset the debate towards European consensus across governments and political parties for an ethical migration politics.

In the ‘high income countries’ there has been a shift from ethical norms being set by elites to being set by citizens. In ‘low and middle income countries’ there has been a similar shift from ethical norms being set by the elites in rich OECD countries to norms being set by their citizens. To be sustainable migration has to have the democratic support and meet the long-term enlightened interest of receiving state and sending societies, as well as the migrants themselves, and fulfill basic ethical obligations. Policies should recognize that refugees are not migrants, as they by definition have *not* chosen to migrate, even though the dominant motivation of an actual migrant or asylum seeker may be difficult to establish.

Policies should be guided by a ‘duty to rescue’. This implies e.g. that immigration policies should not deprive the origin countries of urgently needed skilled workers.⁴ Policies must be guided by enlightened self-interest. Economic migration needs to be judged from the perspectives of both sending and receiving countries, as well as from the perspectives of migrants. ‘Circular migration’ may result in large and shared benefits for both countries of origin and host countries, with remittances as one benefit and transfer of skills/experience/information as another benefit.

Management and control is a necessary feature of sustainable migration, but must be exercised with ethical principles in place, including the implementation of returns of those not permitted to remain in the host countries. Safe havens must be provided to those needing international protection. When in a safe haven, refugees need jobs and education to be as autonomous as possible⁵, as well as a route out of limbo preferably repatriation to build up country of origin.

Ms. Grete Brochmann, professor, *University of Oslo*, commented on the framework presented by Betts and Collier, which she thought was visionary, ambitious and necessary. In the context of the Norwegian welfare society, the framework provides a basic methodology anchored in democratic processes. Rich countries have obligations both towards their own citizens and the less fortunate countries. A democratic mandate must find, and nudge the population, towards a balance between these obligations, with a long term perspective to

³ A pre-prepared paper by them was made available to the conference participants, and is Annex 3 to these notes

⁴ It was mentioned that there are more Sudanese medical doctors in London than in Sudan.

⁵ The example of Uganda was mentioned. There refugees are permitted to establish businesses, which employ many Ugandans. Also mentioned was the Jordanian compact which allows Syrian refugees to work in Jordan’s economic zones instead of moving on to Europe. Examples were mentioned from Kenya and Ethiopia as well.

challenges and possibilities. Evidence-based policies are necessary, even if there is disagreement about what the evidence states.

The ‘circular migration’ model, as exercised by e.g. the Gulf States, is difficult to envisage for Norway and similar countries. As the ‘free movement’ principles of the EU/EFTA member states is understood they seem to undermine some features of the Norwegian ‘labour market model’ and create a tendency for a ‘race to the bottom’ of rights and conditions for workers in certain sectors.

What is sustainable must be seen in context. The tipping points for ‘sustainability’ differs between societies. ‘Temporary’ protection provided to refugees has a tendency to become permanent, because those given ‘temporary protection’ tends to change and become integrated in the host societies, in particular through their children.

Mr. Thomas Gammeltoft-Hansen, research director at the *Raoul Wallenberg Institute of Human Rights and Humanitarian Law*, commented on the ‘sustainability’ of current refugee legislations and practices in providing international protection. He observed that the sustainability perspective was absent in earlier policy initiatives. He predicted that there will be an interregnum of confusion in the migration and refugee policy area, because of changes in the realities on the ground in both ‘sending’ and ‘receiving’ countries. Thomas agreed with many of the points made in the Betts/Colliers framework, as they seemed to be based on the political realities of receiving states.

Better distribution of the cost of refugees and asylum seekers between the European countries is needed for the sustainability of the system. Any reform that does not address refugees’ own, often justified, drive to move is unlikely to prove sustainable.

A panel discussion moderated by Alexander Betts, followed these pre-prepared interventions. Among the (new) points made were:

- A gender perspective needs to be applied to the understanding of realities as well as the policies and their impact.
- The focus on migration to Europa is somewhat problematic as long as this is a (minor) part only of the global migration movements, and thus may distract from important issues linked to e.g. south-south migration and refugee movements there.
- It is problematic that the public’s and many politicians’ impressions and ideas about international migration (numbers, composition, effects) do not match what is known about realities.
- It is necessary to recognize that ‘politics of panic’ are different from ‘sustainable policies’.
- Refugee agencies have had a tendency to work for too long with emergency tools for handling what turns out to be long-term situations.
- In the ‘host’ countries discussions should be about ‘migration’, not only about ‘immigration’.
- The importance of effective procedures for return was stressed, likewise the success of cooperation policies with transit and countries of origin.

Mr. Frode Forfang, Director General of the *Norwegian Directorate of Immigration (UDI)* commented upon the relevance and applicability of the suggested policy recommendations. No perfect solutions exist to the challenges made by international migration, and hardly anyone is able to overview all relevant aspects in the formulation and implementation of migration policies. Migration is a phenomenon that is difficult to control, because of the complex and dynamic characteristics and motivations of the different actors involved.

Forfang pointed at the fact that Norway does not have an informal economy as large as many of the countries in Southern Europe. The current European system for regulating immigration and assessing claims for international protection, encourage the raising of higher barriers instead of making sustainable policies to meet longer term objectives.

Mr. Magnus Ovilius, Chair of the *European Migration Network (EMN)*, stressed that so far the role and significance of the Schengen agreements had not been mentioned at the conference. This agreement is important for the total package of policy instruments created by the EU/EFTA Member States. To study their objectives and impacts provides a necessary regional perspective to supplement global and national perspectives.

Magnus stressed that the EU resettlement schemes have had positive consequences for the vulnerable asylum seekers, and have deprived smugglers of significant incomes. He also mentioned the need to create legal pathways for immigrants from countries of origin, as an incentive for their countries to facilitate the return of citizens who have not achieved legal status. He pointed to the challenge represented by the difference between the number of return decisions and the number of actual returns, which undermines the credibility of the Member States' asylum and return migration policies. A plea was made for making academic studies and reports more readable and relevant for policy makers.

Ms. Grainne O'Hara, Director of *Division of International Protection, UNHCR* commented that the issues the international community is facing today are basically the same as 20 years ago. She observed that the terminology used by the PRIO and Betts/Collier papers tended to hide the 'sustainability' of the challenges and issues. More precision would be desirable, as well as more attention to legal and ethic concerns and obligations. She also observed that given the circumstances in the first country of refuge a bona fide refugee may become a migrant when s/he chose (or has to) to move on to another country. The two compacts resulting from the *New York Declaration* need to be compatible, and urged that acknowledgement should be given to achievements already made.

Ms. Guri Tyldum, senior researcher at the *FAFO research institute*, noted that more information is needed about the choices that would-be migrants are facing, as well as how and when decisions are influenced and made.

Mr. Torstein Ulserød, project manager at the *CIVITA think tank*, said that the Norwegian debate on migration is a mess, as it is dominated by issues related to asylum seekers and

refugees, while a debate with a more comprehensive perspective is needed. He suggested a policy of limitation to how many immigrants/refugees to be accepted in total.

Mr. Jan-Paul Brekke, senior researcher at the *Institute of Social Research, Oslo*, moderated the concluding debate. Among points made were:

- The need to have clear signals about the circumstances under which the temporary nature of a refugee status may be converted to a more permanent status, and the need for a time limit on ‘temporary protection’, which may depend on the age of the person in need. The danger of creating unintended incentives must also be considered carefully.
- The determination of responsibility or burden sharing between EU member states for handling of asylum applications is going to be an unresolved issue.
- Work with the media to ensure that journalists as well as the public understand the complexities of the migration and refugee issues.

When closing the conference Mr. Terje Sjeggstad said that EMN has an important role to deliver comparative information as well as “food for thoughts” like today’s conference. The Minister had promoted this conference and found the concept of “sustainable migration” fruitful and inspiring. He welcomed the suggestion by the EMN chair to introduce the perspectives of today’s conference to policy makers in the EU institutions.

A vote of thanks was given to all speakers and panelists as well as participants, and to the organizers.