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# MIGRATION POLICY INDEXES

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## Abstract

In the framework of the 2030 Agenda for Sustainable Development, great attention is paid to migration and to 'planned and well-managed migration policies' (SDG 10.7). To compare policies across time and space, indexes can be devised measuring and aggregating relevant indicators of these policies. As one of the activities of the migration policies research line carried out by the EC Knowledge Centre on Migration and Demography (KCMD), this technical report maps and analyses migration policy indexes, explaining their methodologies and accounting for their main findings.

Recently, there have been several undertakings at systematically coding and comparing policies over time and across countries. A map of these initiatives will provide some clarity, allowing for a comparison and guidance for their use. Some of the research questions addressed in this report are 'What databases are available for the analysis of migration policies in each country?', 'What kind of policies are analysed?', 'What methodologies have been used?

The report focuses primarily on *immigration* (admission) policies, as this is the area. A further distinction is on *sectoral* indexes dealing exclusively with single policy areas (e.g. asylum, or labour migration), and more recent *comprehensive* efforts to fully account for a wide spectrum of asylum and migration policies that are typically adopted by States.

This report outlines not only the advantages and disadvantages of the methodologies and explanatory power of these indexes, but can also be of help to policy makers in analysing individual countries' migration management systems, to compare and evaluate the various policy initiatives that have been enacted in the past and which are still likely to have relevance for current migratory challenges. In a nutshell, the added value of the study can be summarized as follows:

- To provide clarity on several research undertakings developed so far;
- To allow for comparisons and guidance for the use of the various indexes;
- To detect gaps and best practices in the methodologies;
- To produce a meta-database of policy indexes as a reference for quantitative analyses of policies;
- To interpret trends and changes in migration policies over time;
- To support analyses and historical comparisons of countries' overall migration management, or of specific policies.

## Executive Summary

This report charts and analyses available indexes measuring asylum and migration policies, resulting in the following **main findings**.

One of the most ubiquitous distinctions operated by indexes concerns the **nature of the policy**, namely whether the policy in question *restricts* or *enhances* migrants' rights. The basic argument for having the nature of the policy as organising concept is to answer academic and public questions regarding the overall direction of the policies being adopted by States. Secondly, when indexes are included in quantitative analyses on migration determinants and outcomes, they serve the purpose of measuring whether policies are effective at all, inasmuch as a restrictive (or liberal) turn in policies is matched with, for instance, a decrease (or increase) in flows. Comprehensive indexes developed in recent years converge on the finding that migration policies have not, overall, become more restrictive in recent decades (Helbling and Kalkum 2017; Beine *et al.* 2016; de Haas *et al.* 2016), in contrast with the overall tendency in the literature to label policy changes occurred in recent decades as predominantly restrictive. While adhering to such a restrictive versus liberal distinction, DEMIG (2016) reaches the conclusion that migration policies should be understood as a tool for migrant *selection* rather than as an instrument affecting migrant numbers.

A second element that characterises the most recent indexes is the careful distinction operated between **policy outputs and outcomes**. In short, policy outputs refer to specific policy measures such as the adoption of a law, whereas policy outcomes refer to the impact that such law might have had. For methodological reasons<sup>1</sup>, all these indexes limit their scope to outputs. Indeed, conflating the two levels would make any use of these indexes in quantitative or qualitative analyses more problematic, as it would be hard for researchers to distinguish between cause and effects of policies. Put simply, if indexes are included, for instance, in a multivariate analysis to uncover the effects of policies, having items related to policy effects in the index itself would be self-defeating. On the other hand, by excluding an analysis of policy implementation, the assessment regarding the nature of a policy, either more restrictive or liberal, is necessarily partial, stopping at the level of policies 'on paper' (Wallace Goodman 2015: 1907). Indeed, in political science studies, policy-making is usually divided into different phases of a policy cycle<sup>2</sup>, wherein policies on paper are only one piece of a more complex process. While stopping at policies on paper may be methodologically sound as an approach, the main limitation is that **how policies are actually implemented** may change to a significant extent their original intent (to the point of making them void, or reverse their intended effect) (Thomann and Sager 2017). Migration studies have long been aware of this. For instance, Castles believes that factors pertaining to the policy cycle are determinant in making policies effective (Castles 2004a). Within EU studies, scholars have highlighted that already in the transposition phase national parliaments might change to a significant degree the policy content of original EU Directives. Dörrenbächer *et al.* analysed the role of national parliaments in the transposition of the Return Directive in Austria, Germany, the Netherlands, and France, and observed that 'the legislatures left their marks on the final laws, and the policy direction of amendments' was affected by the level of coalition conflict within the executive, and to a limited extent 'by coalition partners correcting ministerial drift [,] by factions within the ministerial party, and by opposition parties' (Dörrenbächer *et al.* 2015). Finally, when policies eventually into effect, 'street level bureaucrats' might encounter practical

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<sup>1</sup> Indexes focus on outputs rather than on outcomes also because measuring outcomes is methodologically very difficult. To measure the causal effect of a policy, one should compare the outcome after the policy is implemented - which is observable - with the outcome that would have happened had the policy not been implemented - which is not observable -, so a counterfactual is needed. Besides the methodological difficulties of such operations, they are resource intensive, and thus would pose serious challenges to the objectives of having large-scale indexes covering several countries and years.

<sup>2</sup> The very idea of a policy cycle has been contested as it rarely matches the complex reality of EU policy-making, but it is nonetheless useful for analytical purposes. In textbooks about the EU, authors have divided the cycle into "agenda-setting, policy shaping [...], decision-making, implementation, and evaluation" (Buonanno and Nugent 2013: 101). For a slightly different framing, see Versluis, van Keulen, and Stephenson (2011: 19-24).

difficulties, sheer public opposition, as well as having personal experiences and beliefs, all of which might entail further changes to the original policies (Ellermann 2006).

In terms of **geographical coverage**, all studies consulted for this report include some European countries. The coverage, however, is scattered, so not one of the indexes described in this report include all EU countries, with the exception of the last revision of MIPEX (Huddleston *et al.* 2015). While the literature tends to focus on destination countries policies, DEMIG has analysed emigration policies too in sending countries. This is an important contribution as most indexes focuses on OECD countries. Our knowledge of developing countries migration policies thus remains limited. Regarding the **timeframes**, DEMIG offers the broadest time span (namely, since WWII), while others have narrower coverages (e.g. IMPIC since the 1980s, IMPALA since the end of 1990s). Importantly, no index commits to regular updates (MIPEX is a noteworthy exception), making their use of limited value for monitoring purposes.

The distinction between **immigration** and **immigrant policies** is generally acknowledged, especially in the most recent wave of comprehensive approaches. However, the methodological choice either to include or exclude indicators related to integration is tackled differently in these projects. This results in two indexes including integration indicators (DEMIG and IMPALA), while IMPIC does not. The report focuses its attention on immigration policies, as this is the area of the academic literature which has recently witnessed more developments.

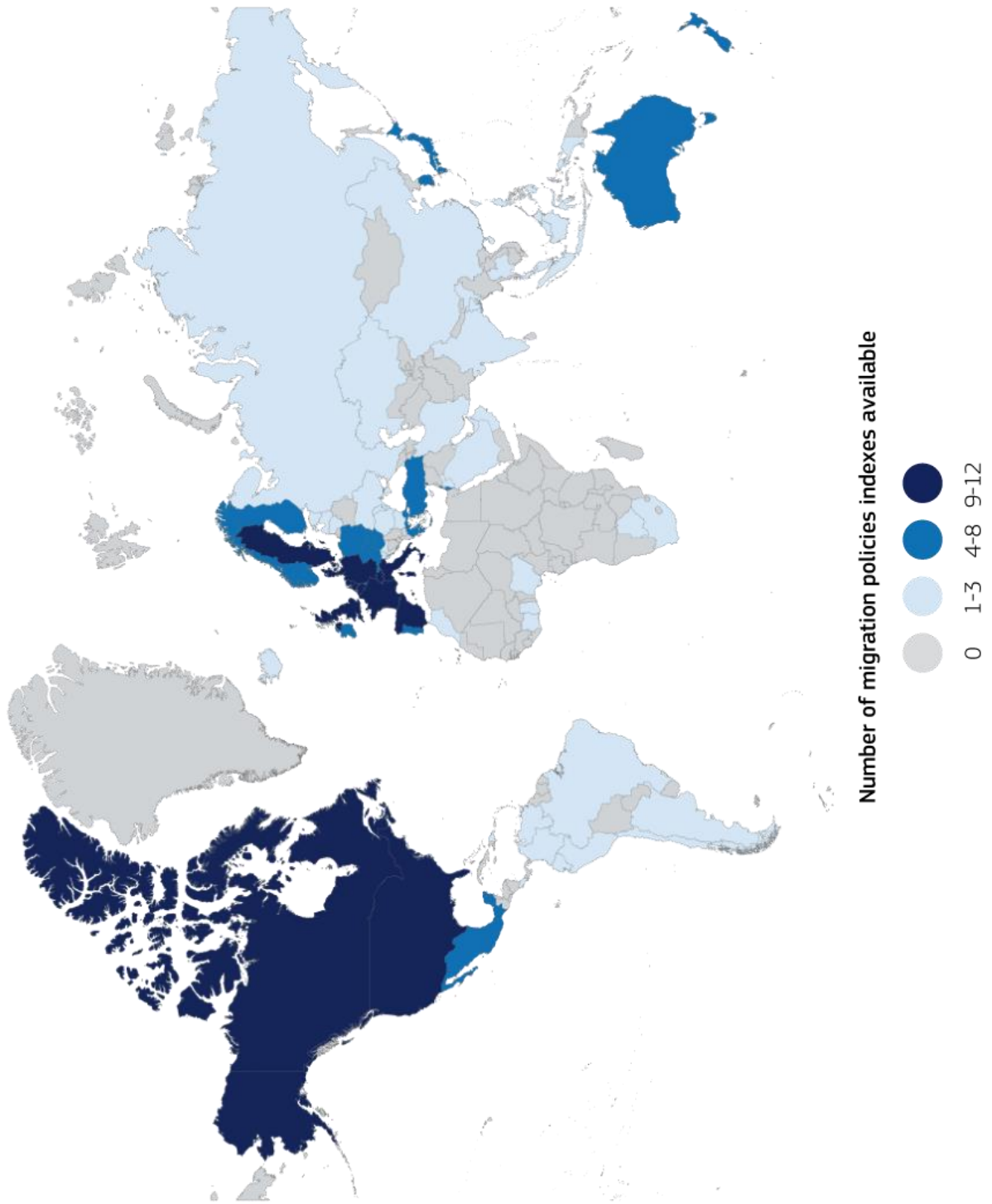
Regarding the **migration categories** covered, there is significant overlapping between these indexes, at least at the nominal level. This provides researchers with several options for quantitative analyses, enabling them to check the robustness of their findings by carefully swapping indexes. Such overlapping mask methodological differences though, thus compelling some degree of caution on analysts working on more fine-grained studies. For instance, IMPALA and IMPIC follow quite closely the migration categories codified by major migration data providers such as OECD and Eurostat (with only a few exceptions), while others such as DEMIG do not. In this regard, IMPALA seems to offer more possibilities for fine-grained analysis due to the depths reached in the coding – i.e. the way in which information is extracted from policies and translated into numerical values -, which grants the possibility of endless combinations of items and aggregation criteria. The basic drawback is that such an approach is labour intensive, hence easily hitting resource constraints which in turn limits the scope of indexes. Such limitation is made manifest by comparing the countries and years covered by these two projects. Other projects are more circumscribed as to the depth of coding, hence resulting in broader geographical and time coverage. In conclusion, from the indexes developed so far, there is a clear trade-off between the depth of the analysis and its scope.

Indexes differ also regarding what is considered a policy, **how it is to be coded**, and from what sources. Some indexes (e.g. IMPALA, IMPIC, MIPEX) code pieces of legislation *per se*, and attribute a numerical value to each of these measures. Others, such as DEMIG, code changes in legislation, as their primary goal is to track the evolution of policies within countries rather than comparing across them. Regarding sources, while some do not extensively rely on external compilation of policy overviews and devotes work to archival research (e.g. IMPALA), others tend to extensively avail themselves of policy surveys mainly carried out by OECD (i.e. the continuous reporting first under SOPEMI and now the International Migration Outlook).

Turning finally to the **policy relevance** of these indexes, comprehensive indices have striven to be as transparent as possible in their methodological choices and coding. As a corollary, this means that they have built up extensive databases of policies adopted in the past decades. For policy makers, this represent an important repository of past examples which can be explored, analysed, and possibly replicated in the future. Policy makers can learn what initiatives have been put in place in the past when similar challenges arose in areas such as labour market integration or family reunification. They can select policies which fit their particular context, or assess the advantages and disadvantages of drafting policies like what has been done in the past. This is particularly true when these analyses



are coupled with studies on the implementation and outcomes of these policies (be them qualitative or quantitative).



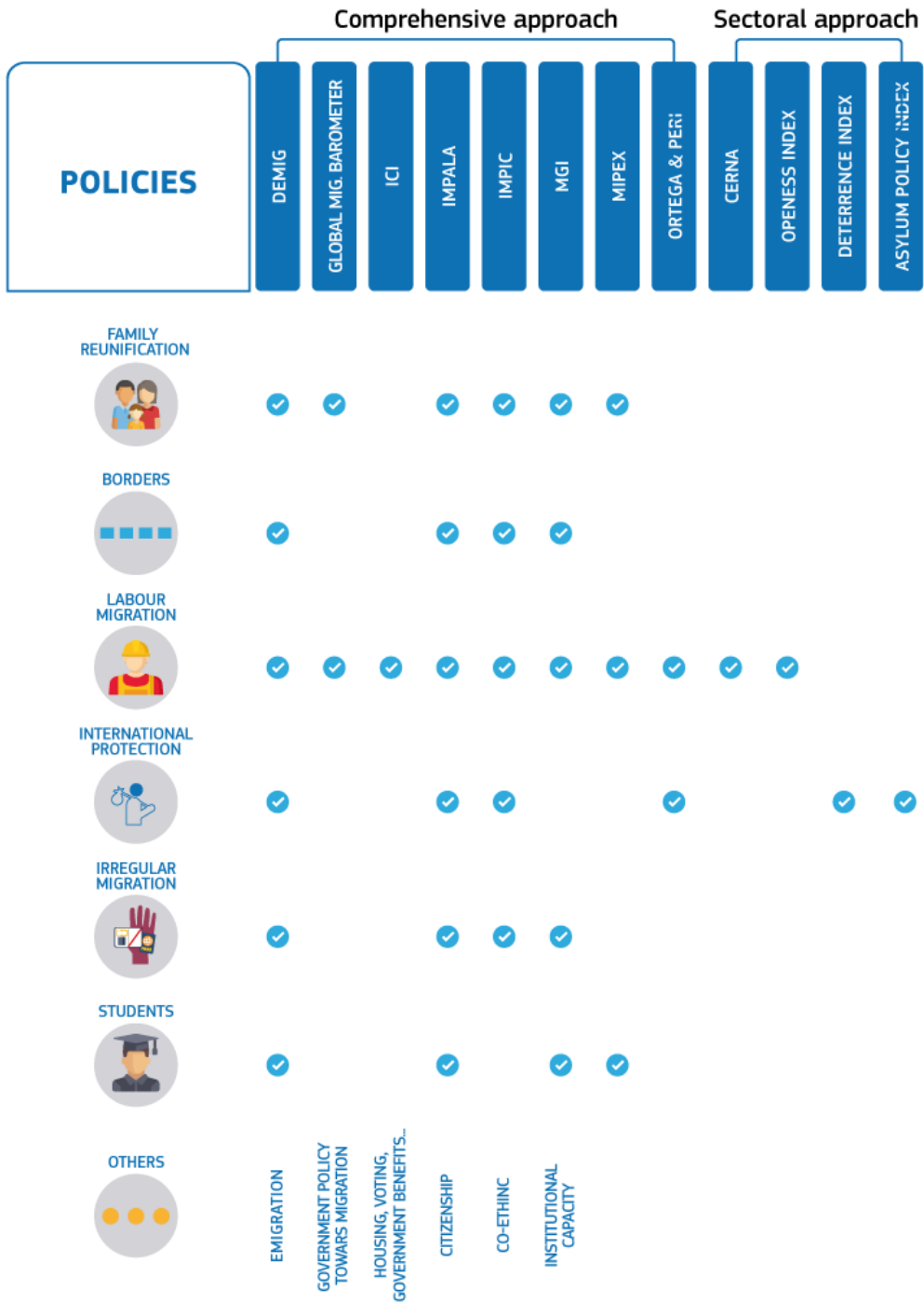


Indexes available per country\*

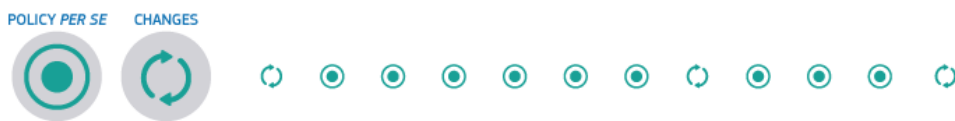
| COUNTRY           | ASYLUM POLICY INDEX | DEMIG | DETERRENCE INDEX | CERNA | GLOBAL MIG. BAROMETER | IMPALA | IMPIC | MGI | MIPEX | OPENESS INDEX | ORTEGA & PERI |
|-------------------|---------------------|-------|------------------|-------|-----------------------|--------|-------|-----|-------|---------------|---------------|
| ARGENTINA         |                     | ↙     |                  |       | ↙                     |        |       |     |       | ↙             |               |
| AUSTRALIA         | ↙                   | ↙     |                  |       | ↙                     | ↙      | ↙     |     | ↙     | ↙             | ↙             |
| AUSTRIA           | ↙                   | ↙     | ↙                | ↙     | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| BELGIUM           | ↙                   | ↙     | ↙                | ↙     | ↙                     |        | ↙     |     | ↙     | ↙             | ↙             |
| BRAZIL            |                     | ↙     |                  |       | ↙                     |        |       |     |       | ↙             |               |
| CANADA            | ↙                   | ↙     |                  | ↙     | ↙                     |        | ↙     | ↙   | ↙     | ↙             | ↙             |
| CHILE             |                     | ↙     |                  |       | ↙                     |        | ↙     |     |       | ↙             |               |
| CHINA             |                     | ↙     |                  |       | ↙                     |        |       |     |       | ↙             |               |
| CZECH REPUBLIC    | ↙                   | ↙     |                  | ↙     | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| DENMARK           | ↙                   | ↙     | ↙                | ↙     | ↙                     |        | ↙     |     | ↙     | ↙             | ↙             |
| ESTONIA           |                     | ↙     |                  |       | ↙                     |        |       |     |       | ↙             |               |
| FINLAND           |                     | ↙     | ↙                | ↙     | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| FRANCE            | ↙                   | ↙     | ↙                | ↙     | ↙                     | ↙      | ↙     |     | ↙     | ↙             |               |
| GERMANY           | ↙                   | ↙     | ↙                | ↙     | ↙                     | ↙      | ↙     | ↙   | ↙     | ↙             | ↙             |
| GREECE            |                     | ↙     | ↙                |       | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| HUNGARY           | ↙                   | ↙     |                  |       | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| ICELAND           |                     | ↙     |                  |       | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| IRELAND           | ↙                   | ↙     | ↙                | ↙     | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| ISRAEL            |                     | ↙     |                  |       | ↙                     |        | ↙     | ↙   | ↙     | ↙             |               |
| ITALY             | ↙                   | ↙     | ↙                | ↙     | ↙                     |        | ↙     | ↙   | ↙     | ↙             |               |
| JAPAN             |                     | ↙     |                  | ↙     | ↙                     |        | ↙     |     | ↙     | ↙             | ↙             |
| LUXEMBOURG        |                     | ↙     | ↙                |       | ↙                     | ↙      | ↙     |     | ↙     | ↙             | ↙             |
| MEXICO            |                     | ↙     |                  |       | ↙                     |        | ↙     | ↙   | ↙     | ↙             |               |
| NETHERLANDS       | ↙                   | ↙     | ↙                | ↙     | ↙                     | ↙      | ↙     |     | ↙     | ↙             | ↙             |
| NEW ZEALAND       |                     | ↙     |                  | ↙     | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| NORWAY            | ↙                   | ↙     | ↙                |       | ↙                     |        | ↙     |     | ↙     | ↙             | ↙             |
| POLAND            | ↙                   | ↙     |                  |       | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| PORTUGAL          |                     | ↙     | ↙                | ↙     | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| REPUBLIC OF KOREA |                     | ↙     |                  | ↙     | ↙                     |        | ↙     | ↙   | ↙     | ↙             |               |
| SLOVAKIA          |                     | ↙     |                  |       | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| SLOVENIA          |                     | ↙     |                  |       | ↙                     |        | ↙     |     | ↙     | ↙             |               |
| SOUTH AFRICA      |                     | ↙     |                  |       | ↙                     |        | ↙     | ↙   | ↙     | ↙             |               |
| SPAIN             | ↙                   | ↙     | ↙                | ↙     | ↙                     | ↙      | ↙     |     | ↙     | ↙             | ↙             |
| SWEDEN            | ↙                   | ↙     | ↙                | ↙     | ↙                     |        | ↙     | ↙   | ↙     | ↙             | ↙             |
| SWITZERLAND       | ↙                   | ↙     | ↙                | ↙     | ↙                     | ↙      | ↙     |     | ↙     | ↙             | ↙             |
| TURKEY            |                     | ↙     |                  |       | ↙                     |        | ↙     | ↙   | ↙     | ↙             |               |
| UK                | ↙                   | ↙     | ↙                | ↙     | ↙                     | ↙      | ↙     |     | ↙     | ↙             | ↙             |
| USA               | ↙                   | ↙     |                  | ↙     | ↙                     | ↙      | ↙     |     | ↙     | ↙             | ↙             |

NB: ICI covers only USA  
 \* Only those countries covered by 3 or more indexes are included in this table.

**POLICIES  
COVERAGE**



**Unit of Measurement**





## PERIOD COVERAGE

| INDEX                 | YEARS COVERED     | PUBLICLY AVAILABLE | UPDATE |
|-----------------------|-------------------|--------------------|--------|
| DEMIG                 | 1945 - 2013       | ✓                  |        |
| GLOBAL MIG. BAROMETER | 2007              |                    |        |
| ICI                   | 2005 - 2012       |                    |        |
| IMPALA                | 1999 - 2008       |                    |        |
| IMPIC                 | 1980 - 2010       | ✓                  |        |
| MGI                   | 2015 - 2016       |                    |        |
| MIPEX                 | 2004, 2007 - 2014 | ✓                  | ↓      |
| ORTEGA & PERI         | 1980 - 2005       |                    |        |
| CERNA                 | 2007, 2012        |                    |        |
| OPENESS INDEX         | 2009              |                    |        |
| DETERRENCE INDEX      | 1985 - 1999       |                    |        |
| ASYLUM POLICY INDEX   | 1996 - 2006       |                    |        |

# 1 Introduction and Methodological Note

Until the late 2000s there had been occasional attempts to quantify asylum and migration policies, either focusing on single policies (e.g. asylum, labour migration), or under more comprehensive approaches. Since the early 2010s, efforts at measuring immigration policies have gained momentum and several indices have been produced, which differ from the previous ones not only in terms of time and geographical coverage, but also with regards to methodological rigour. Our survey discovered eight indexes developed until 2010, and 11 published after that year. As the number of publications featuring migration policy index has now become considerable, this report focuses on a sample of noteworthy cases, testament to what the literature has achieved.

This report intends to map these initiatives and analyse their methodology with the aim of providing some clarity and allowing for comparisons. Although some of the indexes covered in the study are already well-known in the literature, the methodological decisions made to construct the indexes and their implications in the use of the findings are not always easy to capture. In addition, knowing these methodological differences can support an informed decision on where to find information on a specific country and/or policy, and what index may be more suitable in different circumstances. The value added of such analysis is to provide guidance for the availability and characteristics of a plethora of policies indexes, hence of their potential use in qualitative and quantitative analyses.

In the academic literature, a distinction is frequently made between *immigration policies* – i.e. the rules governing the admission of individuals – and *immigrant policies* – i.e. those governing the integration of immigrants in destination countries once they are admitted. The report focuses primarily on *immigration* (admission) policies, although some reference is also marginally done on *immigrant* (integration) policies (whenever an index includes immigration and immigrant policies, this is reflected in the analysis). A further distinction is on sector-specific indexes dealing exclusively with single policy area (e.g. asylum, or labour migration), and more recent and comprehensive efforts to fully account for the wide spectrum of asylum and migration policies that are typically adopted by States. In this report, for presentational purposes, indexes are grouped on the basis of their scope, either comprehensive or sectoral. The first section explores this new strand of indexes, i.e. the more comprehensive ones. The following section deals with sectoral approaches, following traditional categorisations in migration policy (adopted also by some official statistical institutions, e.g. Eurostat, OECD).

In this report, each policy index is presented in a **fiche**. The latter summarises the main methodological points for each index and is designed to be consulted also as a standalone information sheet.

The fiches are structured as follows:

- General Description
  - Full bibliographical reference
  - Geographical coverage
  - Time frame
  - Update
- Methodology
  - Rationale
  - Policies analysed
  - Sources and definitions
  - Unit of measurement
  - Coding, weighting, and aggregation
  - Raw data availability
- General remarks

The *general description* section presents the main characteristics of the index, including its bibliographic reference (name of the index), which countries are covered by the index

(geographical coverage), which years are analysed (time frame), and if updates have been released or are foreseen in the future (update). The *methodology* section describes more in details the index, providing guidance on how to use the index and how to interpret its results. Finally, the *general remarks* section lists additional information as well as some critical notes regarding either methodology or findings.

Looking more in depth at the *methodology* section, the overarching ***rationale*** for the creation of any indices on asylum and migration policies is to create a level playing field to enable comparative analyses (both small and large scale). Indeed, in the absence of such preparatory work aimed at standardising the measurement of policies, any subsequent talk regarding policy effects, policy convergence, policy trends (e.g. restrictive or liberal) is problematic. Besides this overarching objective, each index can be conceived and designed to target additional goals that the authors may want to pursue. The objectives underpinning the construction of an index are of primary importance for subsequent methodological choices, therefore this is the first category listed in *methodology* section of the fiches. In this context, one of the most frequent objective is to measure the nature of policies, meaning whether they are restrictive or liberal.

Regarding the second category, ***policies analysed***, following a longstanding tradition in migration policy, many indexes make reference to a divide between two main types of migration policies, those governing the admission (also labelled '*immigration policies*') and those regarding integration (also called '*immigrant policies*') (Geddes 2008; Zincone *et al.* 2011: 14–15). While overlapping is inevitable (e.g. family reunification policies typically lay down criteria for admission as well as rights being granted and integration measures to comply with once admission has taken place), such distinction allows researchers engaged in quantitative studies to identify whether admission policies matter in determining migration flows and composition. That being said, it must be noted that such distinction is something that analysts operate *ex post*, and that there is quite an overlap between the two. The category *policies analysed* allows to identify not only those policies included in the index, but also specific migration sub-categories (such as, within legal migration, student migration, or low-skilled labour migrants).

Once the general migration categories are selected, researchers identify relevant *indicators* which they deem relevant to numerically capture and translate policy contents or trends in numerical values. One of the dividing line that has emerged from the analysis between indexes that were devised before or after 2010 concerns the typology of indicators. Broadly speaking, indexes crafted after 2010 impose a neat distinction between policy outputs and outcomes, and tend to include in the analysis only indicators pertaining to the former. In a conceptual note on the creation and use of indexes in immigration and immigrant policies, Bjerre *et al.* (2015: 556) recommend to differentiate between policy outputs (e.g. legal regulations, decrees) and policy outcomes (e.g. flows, skill or typology compositions, asylum recognition rates) (Bjerre *et al.* 2015: 560). This is a common guiding principle for index creation across all the comprehensive indexes developed after 2010 (e.g. see Gest *et al.* 2014: 264, 268). More formally, outputs may be defined as "the level of policy formulation", while outcomes are "a least in part the result of policy implementation" (Gest *et al.* 2014: 264). For instance, if indexes are employed in a multivariate analysis to determine asylum and migration outcomes, mixing in the index proxies for both outputs and outcomes might make the results of the inferential exercise impossible to interpret.

The third category presents information on ***sources and definitions*** used to create the index. Some indexes have created their own definition of immigration, for example in the case of IMPIC with the aim to include temporary residence and work permits. The type of sources analysed can be at the bases of a different score given on the same policy from various indices. Regarding sources, most indexes avail themselves of a variety of sources, from state-level legislation on migration, to international organisations' surveys of migration policies (mainly OECD), to secondary literature (peer-review articles, books, policy papers by think tanks), to informed opinion of academics and policy experts, as well as newspaper articles.

The **unit of measurement** – i.e. the most basic component that is measured within indexes – is invariably the individual policies. However, how they are measured differs across indexes. Legislative pieces could be analysed in their entirety (Hatton 2009), or parts of it can be singled out (de Haas *et al.* 2015). In addition, what is measured can be the policy *per se* (Beine *et al.* 2016) or *change* in policy (Hatton 2009; de Haas *et al.* 2015).

The category on **coding, weighting and aggregation** presents further methodological details on each index. The number of indicators varies hugely in the literature. Bjerre *et al.* (2015: 576) reports that while some studies included only 5 items in their indexes, others have selected as many as 35. Indeed, MIPEX has now reached 167 indicators in its latest update.

Weighting is a way of attributing higher or lower relative importance to indicators within the index. Indexes based on qualitative data (e.g. laws, policies) – which is typically the case in migration indexes – tend to generate 'ordinal variables, and indices are either additive or averaged representations of an amalgam of policy components' (Wallace Goodman 2013: 51). As long as no weighting is applied to raw data, then further aggregation is possible. Once weighting is applied and no raw data is published alongside the main research outputs (which is often the case for indexes created before 2010), it becomes more complex to re-use data for other pieces of research, or check the robustness of other index by correlating results.

Most indexes feature several layers of aggregation. Aggregation is a crucial phase in the creation of indexes, as it entails merging the measurement and meaning of different items into a single value. For instance, Ruhs' analysis of temporary work programmes results in an overarching aggregate which is called 'openness index', composed by 12 indicators; these can in turn be grouped into 3 different mid-level aggregations, namely 'quotas', 'demand restrictions', and 'supply restrictions'. All these intermediate levels of aggregation are very important because each may represent the levels on which future analyses may concentrate. For instance, one could be less interested in a generic 'openness index', but much more into 'demand restrictions' as a focus of a hypothetical study estimating labour migrant flows into a selected number of EU countries. Again, one could dismiss the demand restriction level of aggregation and focus on specific indicators coded by Ruhs such as 'labour market test' and 'trade union involvement' in a research on the extent to which labour markets are regulated for migrants. These operations critically depend on several factors. Besides the need for transparency, clear criteria for coding, and availability of data, these operations rely upon the weighting with which data is presented.

The **raw data availability** is key for replication purposes, but also useful for researchers and policy analyst since it may originate independent and targeted analysis, as well as a better understanding and assessment of the construction and consequently the results of an index.

In terms of limits of this study, the main objective of this report was to be an exhaustive treatment of the indexes being created in the area of asylum and migration policies. However, after some time it became clear that such enterprise was unattainable in a limited time frame, as indexes continued to crop up here and there as the research progressed. It was then decided to focus on some of the most sophisticated and debated indexes, as noteworthy examples of what the literature has achieved.

The primary focus of the report are immigration policies – which encompass several policies such border control, legal entry, law enforcement – rather than immigrant policies. However, there is quite an overlap between the two. Firstly, from a practical perspective, integration and citizenship indexes may cover the same areas included in admission policies, as is the case of family reunification policies<sup>3</sup>, or the rights granted to third country nationals (TCNs) once they entered the territory (e.g. labour market access). Secondly, and conceptually, it is at times hard to distinguish where admission ends and integration begins. And this is true from several perspectives. Popular press as well as academic

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<sup>3</sup> For instance, both IMPIC and MIPEX include family reunification.



arguments include rights being granted to migrants as part of the drivers for immigration. More profoundly, as Ruhs forcefully argues, the kinds of rights granted to immigrants are tied to the schemes they entered with (for instance, temporary low-skilled labour migrants are often granted fewer rights than highly skilled migrants).

## 2 IMMIGRATION POLICIES - Comprehensive approaches

### 2.1 DEMIG

#### 2.1.1 General description

**Full bibliographical reference:** de Haas, Hein, Katharina Natter, and Simona Vezzoli (2016). 'Growing Restrictiveness or Changing Selection? The Nature and Evolution of Migration Policies', *International Migration Review*, <http://doi.wiley.com/10.1111/imre.12288>

**Geographical coverage:** The DEMIG database stores more than 6,500 policy changes in 45 countries, (27 in Europe, 8 in America, 6 in Asia, 4 in Africa). More than half of the countries selected (23) do not pertain to the 'Western liberal democratic sphere' (de Haas et al. 2016: 5–6), and this to get as a representative sample as possible. The countries selected are: Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, China, Czech Republic, Czechoslovakia, Denmark, Finland, France, Germany, German Democratic Republic, Greece, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Korea, Luxembourg, Mexico, Morocco, Netherlands, New Zealand, Norway, Poland, Portugal, Russia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States of America, and Yugoslavia.

**Time frame and update:** Approximately 90% of analysed changes took place between 1945 and 2013. Some information available for the pre-1945 period. No information about updates.

#### 2.1.2 Methodology

**Rationale:** The main goals of DEMIG are to explore what has been the nature, structure and evolution of migration policy and to what extent migration policies affect the (i) volume; (ii) timing; (iii) duration; (iv) direction; and (v) composition of international migration. The overall research project also aims at tackling questions regarding the efficacy of migration policies. Indeed, the authors state that one of the goals is to investigate if 'a change in migration policy restrictiveness affect migration in the intended way?' (de Haas et al. 2015: 3).

**Policies analysed:** DEMIG clusters policies in four broad policy areas: border and land control; legal entry and stay; integration;<sup>4</sup> exit.<sup>5</sup> A second category captures the policy tool used to regulate the policy areas (28 codes)<sup>6</sup> and a third category indicates the migrant category that the policy measure wants to capture (14 codes).<sup>7</sup> The index focuses on outputs and not outcomes.

**Sources and definitions:** DEMIG formulates an encompassing definition of migration policy, which includes, besides admission, measures of integration and exit. Within DEMIG, migration policies are defined as 'rules (i.e., laws, regulations, and measures) that national states define and [enact] with the objective of affecting the volume, origin, direction, and

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<sup>4</sup> Including measures such as access to long-term residence, citizenship or access to social benefits.

<sup>5</sup> Including measures such as expulsion or voluntary return.

<sup>6</sup> 28 policy tools are identified: 'surveillance technology/control powers; identification documents; detention; carrier liabilities; employer liabilities; other sanctions; travel visa/permit; work visa/permit; entry visa/stay permit; points-based system; quota target; regularization; entry ban; recruitment/assisted migration programmes; resettlement programmes; free mobility rights agreements; language: housing, and cultural integration programmes; access to social benefits and socio-economic rights; access to justice and political rights; access to permanent residency; access to citizenship; reintegration return programmes; readmission agreements; expulsion; exit visa permit or exit ban; institutional capacities; action plan, strategy, report; and contextual elements' (de Haas et al. 2015: 10).

<sup>7</sup> 14 migrant groups are identified: All migrants; all migrant workers; low-skilled workers; skilled high-skilled workers; family members; family members of high-skilled workers, investors, or students; family members of irregular migrants, or refugees, asylum seekers, and other vulnerable people; international students; investors, entrepreneurs, and business people; irregular migrants; refugees, asylum seekers, and other vulnerable people; members of the diaspora; and specific categories.

internal composition of [...] migration flows' (de Haas *et al.* 2015: 3–4). As a corollary of particular interest for the EU, EU laws are not coded *per se*<sup>8</sup>, but only the national transpositions of EU laws are (de Haas *et al.* 2015: 4). DEMIG gathers empirical material not from political discourses or implementation, but from 'policies on paper' (e.g. laws), mainly as digested in OECD reports (first SOPEMI and then Outlook), and other sources<sup>9</sup>.

**Unit of measurement:** DEMIG tracks policy changes occurring in a specific country and year (de Haas *et al.* 2015: 2)<sup>10</sup>. The key objective behind the choice for focusing on *policy change* rather than policies *per se* is checking whether outcomes follow outputs. In other words, if policy changes are followed by changes in flows, composition, stocks, in the direction intended by policy makers. Conceptually, the choice to focus on changes rather than policies *per se* rests also on the belief that 'speaking of overall restrictiveness' is problematic 'since migration changes are typically "mixed bags" of often contradictory measures', thus making 'it difficult to code change in restrictiveness of "entire" policy changes' (de Haas *et al.* 2015: 4). For instance, the Italian Law 94 of 2009 (dubbed *Pacchetto Sicurezza*) is fragmented in several policy changes, some restrictive, and some liberal.

**Coding, weighting, and aggregation:** DEMIG adopts a 4-point scale to characterise policy changes: fine-tuning measure (1); minor change (2); mid-level change (3); major change (4). A policy measure is then coded as 1 if it introduces a restrictive change, whereas -1 if liberal<sup>11</sup>. Restrictive here stands for a policy change that reduces the 'rights available to migrants' (de Haas *et al.* 2016: 12–14). For instance, voluntary return programmes which use financial incentives are regarded by DEMIG coders as granting more rights to migrants, hence coded as liberal, whereas forced return programmes which might include detention and deportation are coded the opposite. DEMIG offers to future researchers a way for weighting the results, as it differentiates policy changes according to their 'relative magnitude'. This is decided based on two criteria: the degree of coverage (whether an entire migrant group is targeted or only part of it, as well as how encompassing a measure was regarding migrants' origin<sup>12</sup>); and the degree of departure (answering to questions such as whether new policy tools have been introduced) (de Haas *et al.* 2016: 7–8, 2015: 14–15).

**Raw data availability:** Yes, country datasets including the full descriptions of policy changes and codes are downloadable on the project website<sup>13</sup>.

### 2.1.3 General remarks

DEMIG sees its main contributions as (de Haas *et al.* 2015: 4):

- i. 'providing an elaborate conceptualisation of migration policies';
- ii. 'expanding the geographical (cross-sectional) and temporal coverage and including both immigration and emigration policies';
- iii. 'disaggregating major policy changes into their individual policy measures';
- iv. 'specifying the migrant group targeted by each policy measure'.

Regarding point ii, coding not only immigration but also emigration policies is a clear added value, not found in other databases. Moreover, the DEMIG POLICY database is

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<sup>8</sup> As IMPALA does, see fiche.

<sup>9</sup> As is often the case, experts double-checked the national coding.

<sup>10</sup> Contrary to what IMPALA and IMPIC do, see respective fiches.

<sup>11</sup> While the authors also add 0 if no change is detected, this only applies in selected cases, making the resulting variable a categorical one rather than an ordinal (ranging from -1 to 1).

<sup>12</sup> 5 migrant origins are listed: All (both foreigners and citizens); all foreign nationalities; citizens; EU citizens; specific nationalities.

<sup>13</sup> Available at <https://www.imi.ox.ac.uk/data/demig-data/demig-policy-1/download-the-data/demig-policy-data-downloads> (Accessed on 26/07/2017).

complemented with a DEMIG VISA database, which provides a global panel of bilateral travel visa (entry and exit) requirements over the 1973-2013 period.

What DEMIG does not trace in a systematic manner are three types of policies, namely migration and development, policies on unaccompanied minors or human being trafficking and bi-and multilateral agreements<sup>14</sup> on migration (de Haas *et al.* 2015:6), plus as explained in the methodology, supra- and local policies. That being said, DEMIG stands out as one of the most remarkable achievement in recent migration studies, striking an unparalleled balance between the breadth and depth of the analysis, coupled with many methodological insights and innovations.

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<sup>14</sup> Such as those on readmission, reintegration, seasonal workers.

## 2.2 Global Migration Barometer

### 2.2.1 General Description

**Full bibliographical reference:** The Economist Intelligence Unit (2008). 'Global Migration Barometer. Methodology, Results and Findings. EXECUTIVE SUMMARY'<sup>15</sup>

**Geographical coverage:** 61 countries. The selection criteria are: a) 'Large existing stock of migrants in host country; b) 'Anticipation of large migrants flows based on leading indicators, such as evidence of labour shortages and increasing remittances'; c) 'Important regional economy or hub' (Economist Intelligence Unit 2008).

The countries are: Australia, Canada, United States, United Kingdom, Singapore, New Zealand, Sweden, Hong Kong, Norway, Belgium, Ireland, Portugal, Switzerland, Spain, Israel, Finland, Germany, France, Netherlands, Italy, Chile, Austria, Denmark, Costa Rica, Czech Republic, Greece, Slovakia, Japan, Poland, Lithuania, Mexico, Hungary, Malaysia, Republic of Korea, Brazil, Qatar, Argentina, Kazakhstan, Peru, Thailand, Latvia, Russian Federation, Estonia, Turkey, Ukraine, Romania, United Arab Emirates, Kuwait, Botswana, Ecuador, China, South Africa, Jordan, Bulgaria, India, Nigeria, Venezuela, Cote D'Ivoire, Saudi Arabia, Ghana, Iran.

**Time frame and update:** mostly 2007<sup>16</sup>. No information on updates.

### 2.2.2 Methodology

**Rationale:** 'to compile a migration index that ranks 61 countries by how attractive and accessible they are for migrants (the Global Migration Barometer), with a separate assessment of the countries' need for migrants' (Economist Intelligence Unit 2008). In other words, the Barometer addresses two issues: attractiveness to migrants and accessibility for migrants; the need for migrants, in terms of labour market shortages or other socio-demographic reasons, is 'included for comparative purposes'. The indicators cover aspects related to 'standard of living and economic development of a country, legislative policy and attitudes towards migration, and demographics and social welfare commitments'.

In more detail, the *Attractiveness to Migrants* (14 indicators) aims at assessing 'where migrants would choose to go, if there were free movement of labour and if geographic location was not an issue'. *Accessibility for Migrants* (8 indicators), on the other hand, measures 'ease of entry integration and the legal environment for migrants in the host country'. The table below sums up the items listed under each set.

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<sup>15</sup> Available at [http://www.un.org/esa/population/meetings/seventhcoord2008/GMB\\_ExecSumEIU.pdf](http://www.un.org/esa/population/meetings/seventhcoord2008/GMB_ExecSumEIU.pdf) (Accessed April 3, 2017).

<sup>16</sup> For some categories, data refers to other years, see [http://www.un.org/esa/population/meetings/seventhcoord2008/GMB\\_ExecSumEIU.pdf](http://www.un.org/esa/population/meetings/seventhcoord2008/GMB_ExecSumEIU.pdf) (Accessed April 3, 2017), pp. 18-20, 23-24, 27-28.

**Table 1.** Indicators covered under the Global Migration Barometer

| <i><b>Attractiveness to Migrants</b></i> | <i><b>Accessibility for Migrants</b></i>     | <i><b>Need for Migrants</b></i>             |
|--|--|---|
| Nominal GDP                              | Government policy towards migration          | Old age dependency ratio                    |
| Nominal GDP per head at PPP              | Ease of hiring foreign nationals             | Natural increase                            |
| Historic/commercial links                | Licensing requirement for migrants           | Employment ratio                            |
| Regional integration                     | Ease of family reunification                 | Rigidity of employment                      |
| Quality of healthcare                    | Programmes to integrate migrants             | Labour productivity                         |
| Quality of education                     | Openness of host country culture to migrants | Unfunded pension and healthcare liabilities |
| Meritocratic remuneration                | Power of trade unions                        | Public spending on pensions                 |
| Foreign direct investment                | De jure or de facto discrimination           | Unemployment benefits                       |
| Ability/ease of remitting money          |  | Internal labour mobility                    |
| Access to financial services             |  | Labour force                                |
| Access to capital                        |  |   |
| Ease of starting a business              |  |   |
| Civil liberties                          |  |   |
| Social unrest                            |  |   |

Source: (Economist Intelligence Unit 2008)

**Policies analysed:** the main migration policies analysed in the Barometer are under the heading of 'accessibility for migrants', namely 'government policy towards migration', 'ease of family reunification', 'programmes to integrate migrants'. Most of the remaining indicators in the other categories are to be considered policy outcomes.

**Sources and definitions:** 'national and statistical sources' (Economist Intelligence Unit 2008). In the only document available regarding this index, the sources are listed as: The Economist Intelligence Unit; Bank for International Settlements; International Labour Organisation; International Monetary Fund; Organisation for Economic Co-operation and Development; United Nations Educational, Scientific and Cultural Organisation; United Nations Development Programme; World Bank; World Health Organisation; US Bureau of Census.

**Unit of measurement:** not specified; being conducted only once and as the aim is to provide the 'country's appeal to migrants', it supposedly analyses policies per se.

**Coding, weighting, and aggregation:** 'Each of the indicators has been adjusted and weighted to produce a score of 0 to 100, where 100 represents the highest attractiveness, accessibility or need for migrants' (Economist Intelligence Unit 2008: 2). More precisely, 'Indicator scores are normalised and then aggregated across categories to enable a comparison of broader concepts across countries. Normalisation rebases the raw indicator data to a common unit so that it can be aggregated' (Economist Intelligence Unit 2008: 5). Each indicator is weighted according to the relative importance, and the table reporting the weighting is included in the report (Economist Intelligence Unit 2008: Appendix 3).

Regarding the indicator 'government policy towards migration', this 'has been banded on a scale of 1-3 and has been converted to a 0-100 score to make it comparable across all indicators'. The rest of qualitative items are banded on a scale of 1-5, and then converted into a 0-100 score to make them comparable. Individual items within the indexes have been weighted according to experts' opinion.

**Raw data availability:** No.

### 2.2.3 General remarks

It should be noted that items which are not exactly policy-related are included in the accessibility for migrants group. For instance, the 'degree of openness to host country culture to migrants' refers to countries' public opinion towards migration as measured by experts' individual assessment. The closest item to migration policies is 'government policy towards migration', which is a 3-points scale which is derived from UN surveys<sup>17</sup>. There are two more items that could be subsumed into an immigrant policy index (e.g. MIPEx), and these are 'programmes to integrate migrants'<sup>18</sup>, and 'ease of family reunification'<sup>19</sup>. Both items are qualitative judgments of the EIU analysts.

It is to be noticed the innovative angle provided by this index as the usual migration policies are re-shaped into new categories of attractiveness and accessibility, which recall the push-pull factors theory applied in migration policies.

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<sup>17</sup> The only reference in the report is to 'United Nations, World Population Policies' (Economist Intelligence Unit 2008: 24). We suppose that the authors were referring to the *World Population Policies Database*, which contains several variables related to migration.

<sup>18</sup> The 'guidance' for this item is: 'Considers whether the host country actively promotes migrant integration through programmes such as language classes, provision of practical advice on country administration systems and formalities that need to be fulfilled'.

<sup>19</sup> The 'guidance' for this item is: 'Considers factors such as whether family members need to take a language test prior to moving to the host country; whether a migrant needs to spend a minimum amount of time in the host country before becoming eligible to bring family members to the host country; the possibility of sponsorship etc'.

## 2.3 ICI (Immigrants' Climate Index)

### 2.3.1 General Description

**Full bibliographical reference:** Pham, Huyen, and Pham Hoang Van (2014). 'Measuring the Climate for Immigrants: A State-by-State Analysis', in Carissa Byrne Hessick and Gabriel J Chin (eds.), *Strange Neighbors. The Role of States in Immigration Policy*. New York: New York University Press.

**Geographical coverage:** US States.

**Time frame and update:** 2005-2012. No information about updates.

### 2.3.2 Methodology

**Rationale:** the authors want to examine the sub-state level of regulation, an understudied area of immigration regulation. Climate, in the words of the authors, stands for 'the regulatory environment that immigrants experience in their everyday lives, as a result of the laws enacted by individual states to either benefit or restrict the immigrants within their jurisdiction' (Pham and Hoang Van 2013: 22).

**Policies analysed:** state and local immigration laws are divided into 6 categories: 1) government benefits; 2) laws controlling access to employment benefits based on immigration status; 3) law enforcement; 4) housing; 5) voting; 6) legal services.

**Sources and definitions:** state legislation is retrieved through the National Conference of State Legislature, which compiles state-level laws since 2005. Other advocacy groups record local level legislation, but in those cases confirmation was sought by direct contact with local authorities, research in legal databases (Westlaw), and official federal bodies.

**Unit of measurement:** Policies per se are coded.

**Coding, weighting, and aggregation:** the 'Immigrants' Climate Index assigns a number, either positive or negative, to each immigration regulation enacted within a state; a state's ICI score is the sum of those numbers' (Pham and Hoang Van 2013: 22). Individual laws are then weighted according to the typology of law, whether it is restrictive or liberal, and the geographical scope. Four tiers are thus identified, ranging from tier 4 which 'affects many aspects of life for immigrants', to tier 1 covering 'laws that affect a practical aspect of immigrants' lives but in a less important or less significant way' (Pham and Hoang Van 2013: 25). The authors thought it was important to reflect the fact that local rules might be very significant for the individuals in that particular area, but lose their significant outside that narrow area in other parts of the same state. To reflect this, they multiplied the score of that individual rule by the ratio of the local to state population.

**Raw data availability:** a map with an overview of the results is available on the Internet<sup>20</sup>, but no raw data could be retrieved.

### 2.3.3 General remarks

No index with an emphasis on the local dimension exists for the EU, where also there are federal States as well as States with strong regional devolution. Due to the increasing importance of the local regulation of migration, the well-known fact that most of migration occurs towards cities (Sanderson *et al.* 2015; International Organization for Migration 2015; Hardman 2008; OECD 2016), and that much of the integration services operate at the local level, adding this perspective to existing or future indexes might represent an interesting experiment.

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<sup>20</sup> [http://business.baylor.edu/van\\_pham/ICI/ici.html](http://business.baylor.edu/van_pham/ICI/ici.html).



## 2.4 IMPALA (International Migration Policy and Law Analysis) <sup>21</sup>

### 2.4.1 General description

**Full bibliographical reference:** Beine, Michel et al. (2016). 'Comparing Immigration Policies: An Overview from the IMPALA Database', *International Migration Review*, 50:4, 827–863

**Geographical coverage:** So far, the researchers have coded nine countries: Australia, France, Germany, Luxembourg, the Netherlands, Spain, Switzerland, UK, US<sup>22</sup>. The main immigrant-receiving OECD countries over the last two decades are planned to be included (Gest et al. 2014: 268). Countries are selected according to the principle of 'maximum variation', according to which 'heterogeneity can be used to identify indicators that work across a wide range of immigration regimes'.

The EU is treated as a *sui generis* case (Gest et al. 2014: 272). First, countries' national legislation that explicitly mention EU legislation is considered 'as a separate track'. Second, the EU is treated as a country and hence the same country-level methodology is applied.

**Time frame and update:** 1999-2008. Data not available yet.

### 2.4.2 Methodology

**Rationale:** IMPALA's objective is to develop 'indicators for the overarching concept of restrictiveness/openness' (Gest et al. 2014: 267). The key rationale for setting up this comparative database is that, currently, 'there is no comprehensive cross-national, time-series database of immigration policies, rendering the analysis of policy trends across and within [asylum and migration policies] difficult for policy makers and scholars alike' (Gest et al. 2014: 261). Only such a database would enable researchers to answer questions such as 'whether there is a universal push to limit immigration; whether restrictive measures include some, most or all categories of immigration including family, humanitarian and student migration; how restrictions are imposed; and how admissions policies have varied over time' (Gest et al. 2014: 262).

**Policies analysed:** The focus is admission policy, although the authors include also acquisition of citizenship, which is generally understood as being part of 'immigrant policies', namely what happens *after* admission. The choice for including this indicator was based on the belief that it 'represents the final step of admission into the state' (Gest et al. 2014: 267).

The project classifies and measures tracks of entry associated with five migration categories: economic migration, family reunification, asylum and humanitarian migration, and student migration, as well as acquisition of citizenship<sup>23</sup>. These categories are selected on the basis of OECD data (Gest et al. 2014: 265), which is useful in the light of the likely quantitative use of the index. The authors planned to identify also 'major bilateral agreements' (Gest et al. 2014: 265), but at the time of writing<sup>24</sup> it is unclear the extent to which the project has accomplished that.

Regarding the selected categories, the authors notice that having subcategories such as high-skilled labour migrants proved unworkable as different countries have different definitions of who is a skilled migrant. Therefore, they decided to use more abstract terms such as 'economic migration'.

**Sources and definitions:** The authors define immigration policies as the 'means by which governments aim to regulate the number and attributes of foreigners who enter and reside

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<sup>21</sup> The IMPALA database emerged from a network of scholars scattered through several institutions (Beine et al. 2016).

<sup>22</sup> The project aims at covering 26 OECD countries.

<sup>23</sup> More precisely, the authors define as citizenship rules 'the policies that control immigrants' access to full membership of the new host society' (Gest et al. 2014: 265).

<sup>24</sup> June 2017.

in their territory and their avenues for naturalization following entry' (Gest *et al.* 2014: 262).

Regarding sources, 'coding is based on referenced and cited acts of parliament and other legal documents' (Gest *et al.* 2014: 269). What is interesting for policy purposes is that IMPALA carried out a coding 'with citation at every level' (Gest *et al.* 2014: 269), which facilitates the use of the index also as a repository of past policy initiatives for policy-makers.

**Unit of measurement:** IMPALA codes policies *per se* on an annual basis<sup>25</sup>. The 'unit of observation' is the 'entry track', meaning a 'specific way of entering the country' (Beine *et al.* 2016: 834), which 'are established in national law, and are normally defined as a particular mode of entry for a prospective migrant given her or his characteristics and purpose (e.g. family reunification, occupation, type and length of the requested residence permit)' (Gest *et al.* 2014: 267). Entry tracks vary in number across both categories<sup>26</sup> (1-64) and countries (40-163). The exception to this methodology is the 'modes of acquisition of citizenship', which are not derived from existing legislation but are based on the academic literature, and the researchers then investigate whether countries fall in '27 modes of acquisition of citizenship and 15 modes of loss of citizenship'.

**Coding, weighting, and aggregation:** The database provides a complex set of coded questions that can be customised to meet a researcher's analytical objectives. The majority of questions seem to be crafted so that answers are binary (i.e. yes/no answers) (Gest *et al.* 2014: 269), and seem to be worded so as to take 1 for stringent measures, and 0 for open<sup>27</sup>. Other items can take the form of scale variables (0-4, with higher values indicating more stringency). In some cases, the answers are quantitative, as for instance in the case of quotas, or duration of stay permitted under a given scheme. Each score for these questions is explicitly referenced to the original source, hence improving the reliability of the research. Methodologically, the research aims at being agnostic about aggregation ('postcoding aggregation'), leaving to future researchers the possibility of choosing themselves how to cluster, aggregate, and weigh the results of any sets of questions. The authors argue that the simplest 'measure of stringency [...] is the sum of the values in a given track – country – year' (Beine *et al.* 2016: 836).

**Raw data availability:** no

### 2.4.3 General remarks

The small sample size makes IMPALA a promising but so far circumscribed index. It is promising as the simple coding method (mainly binary) and the depth within migration categories, really drilling down into policy areas, offer clear valued added compared to other indexes. However, the limited timeframe and countries covered hinders its use for large scale quantitative studies. This is no small limitation for a project which aimed at serving as a basis for large scale comparative analysis. On this note, a different strategy excluding citizenship acquisition and focusing on covering more countries and years might be worth considering. As citizenship and integration policies are already covered by other large-scale endeavours such as MIPEX, the risk of duplication is high (even though IMPALA's methodology is different hence likely to lead to different and interesting results). Indeed, other indexes like IMPIC took the approach of excluding all matters related to integration as already covered by others. Interestingly, the authors provide a comparison of their results with other indexes (MIPEX, Ruhs', Hatton's) with mixed results<sup>28</sup> (Beine *et al.* 2016: 855-856).

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<sup>25</sup> Contrary to, for instance, DEMIG.

<sup>26</sup> The authors provide, as examples, the case of 1 track for the student category in Spain, and 64 tracks for the economic category in Australia.

<sup>27</sup> However, as we do not currently have access to the data, it is impossible to say if this is always the case.

<sup>28</sup> The very idea of simply carrying out correlations between indices might be problematic, particularly if the underlying methodologies are significantly different (e.g. Hatton measures policy changes, not policies *per se*).

## 2.5 IMPIC (Immigration Policies in Comparison)

### 2.5.1 General description

**Full bibliographical reference:** Helbling, Marc, Liv Bjerre, Friederike Römer, and Malisa Zobel (2017). 'Measuring immigration policies: the IMPIC database', *European Political Science*, 16:1, 79–98.

**Geographical coverage:** 33 OECD countries: Austria, Australia, Belgium, Canada, Switzerland, Chile, Czech Republic, Germany, Denmark, EU, Estonia, Spain, Finland, France, United Kingdom, Greece, Hungary, Ireland, Israel, Iceland, Italy, Japan, South Korea, Luxembourg, Mexico, Netherlands, Norway, New Zealand, Poland, Portugal, Sweden, Slovakia, Turkey, United States of America.

**Time frame and update:** 1980-2010. No information about updates.

### 2.5.2 Methodology

**Rationale:** The IMPIC database is premised on the idea that previously developed indexes have not sufficiently addressed key methodological issues related to 'conceptualisation, measurement, and aggregation' (Helbling *et al.* 2017). Regarding conceptualisation, the authors first define immigration policies, differentiating 'between various immigrant groups that are targeted by immigration policies; between policy outputs and outcomes; between neighbouring fields such as integration and citizenship policies; and finally, between different policy dimensions'. Regarding measurement, they 'present the way we have selected the concrete items to be measured; the type of sources we used; how the data has been coded; and which measurement levels we have chosen'. Finally, regarding aggregation, IMPIC indicators allows for aggregation at several levels and do not impose any weighting.

**Policies analysed:** 1) labour migration; 2) family reunification; 3) refugees and asylum; 4) co-ethnics. Differently from DEMIG and IMPALA, IMPIC separates 'immigration control' from 'immigrant integration'. IMPIC recognises that drawing a line between the two fields is not always an easy task, as labour migration (an entry channel) is usually coupled with length of stay and workers' rights, which might be regarded as pertaining to 'settlement and full membership' (i.e. integration). That said, the authors believe that there is enough analytical clarity to separate the two, and to avoid duplication with other indexes already covering integration (e.g. MIPEX), they decide to cover only admission policies. The index focuses on outputs and not outcomes.

**Sources and definitions:** IMPIC creates its own definition of immigration with the explicit purpose of including 'temporary residence and work permits that stand for forms of migration that are on the rise' (Helbling *et al.* 2017: 82). The data sources are 'legally binding immigration regulations' (Liv *et al.* 2016: 87).

**Unit of measurement:** Policies are measured per se.

**Coding, weighting, and aggregation:** IMPIC differentiates between 'regulations' and 'control mechanisms', which together form the *modus operandi* of policies. The former are 'binding legal provisions that create or constrain rights', whereas the latter are 'mechanisms that monitor whether the regulations are adhered to' (Helbling *et al.* 2017: 85). However, while the other migration categories selected are relatively common in the literature (e.g. family reunification, labour migration), the category of 'control mechanisms' seems *sui generis* to this project and perhaps would have benefited from more explanation. Indeed, rather than mechanisms to control that other migration channels are complied with, it seems that items included in the 'control mechanisms' category might be channels themselves. This is the case, for instance, of regularisation programmes, which for some scholars are nothing else than another form of admission policies (Finotelli and Sciortino 2009; Finotelli and Arango 2011; Colombo 2012).

A second dimension considers *locus operandi*, i.e. where policies take place, and materialises into 'externally' and 'internally' oriented laws. 'External regulations' are further sub-divided into 'eligibility requirements[, 'the criteria an immigrant has to fulfil to qualify for a certain route<sup>29</sup>'] and conditions ['the additional requirements that need to be fulfilled<sup>30</sup>'] (Helbling *et al.* 2017: 85). In addition, 'internal regulations' are divided into 'security of status', meaning 'all policies that regulate the duration of permits and access to long-term settlement', and 'rights associated', connected with 'the rights immigrants receive in regard to access to employment, and how they are monitored once they are within the territory' (Helbling *et al.* 2017: 85). Table 2 sums up the full list of policies been included in the analysis.

This organisation of coding closely mirrors other indexes such as MIPEX, thus enabling researchers to carry out interesting investigations. A total of 69 indicators ('items' in IMPIC language) are identified for the four policies fields<sup>31</sup>, the different entry routes, the *locus* and *modus operandi*, and the sub-dimensions. Items are coded between 0 (standing for liberal policies) and 1 (for more restrictive) (Helbling *et al.* 2017: 88), capturing the extent to which 'a regulation limits or liberalises the rights and freedoms of immigrants'. Besides that, there are 'interval/ratio scales (e.g., items that measure fees that need to be paid in order to acquire a work permit, or the temporal validity of a permit)'. In addition, 'Ordinal scales', meaning 'items that measure types of family members permitted to immigrate under family reunification provisions, or whether language tests were a required condition before immigrating' (Helbling *et al.* 2017: 88). Again similarly to MIPEX, IMPIC identifies 'theoretical minimum and maximum', which are assigned values of 0 (the least restrictive measure) and 1 (most restrictive measure) (Helbling *et al.* 2017: 89). The simple presence of a legal rule automatically is coded as 0.5, and then for interval variable (e.g. the fees to be paid for obtaining a visa) this is standardised until the value of 1. For 'rights associated', the coding is slightly different. Taking the case of appealing to an asylum request decision, the authors illustrate that having the possibility of lodging an appeal was coded with the least restrictive value (i.e. 0), while if they did not have that right but a legal provision to that extent existed, the coding was 0.5; only in the case where no provisions regarding asylum and refugee were present in each country, that item was scored 1. That basically means narrowing down the variation of cases in a tight interval (0-0.5). This coding method is justified, in the authors' view, on the grounds that it allows to capture changes both within and between countries over time (Helbling *et al.* 2017: 90). Based on hierarchical structure of the index, IMPIC aggregates data at various levels. No weighting is applied to items, so that researchers can apply their own.

**Table 2.** Items coded within IMPIC

|                      | <b>Labour migration</b>   | <b>Family reunification</b>  | <b>Asylum and refugees</b>   | <b>Control mechanisms</b>  |
|----------------------|---|--|--|--|
| Internal Regulations | <ul style="list-style-type: none"> <li>• Targeting</li> <li>• Quotas labour</li> <li>• Age limits</li> <li>• Young age beneficial</li> <li>• Specific income per month</li> <li>• Specific financial funds</li> <li>• Language skills</li> <li>• Application fee</li> <li>• Job offers</li> </ul> | <ul style="list-style-type: none"> <li>• Residence requirements</li> <li>• Family members</li> <li>• Age limits</li> <li>• Quotas family reunification</li> <li>• Financial requirements</li> <li>• Accommodation requirements</li> <li>• Language skills</li> <li>• Application fees</li> </ul> | <ul style="list-style-type: none"> <li>• Existence of Subsidiary/humanitarian protection</li> <li>• Nationality</li> <li>• Quotas asylum</li> <li>• Safe third country</li> <li>• Safe countries of origin</li> <li>• Resettlement agreements</li> <li>• Place of application</li> </ul> | <ul style="list-style-type: none"> <li>• Illegal residence</li> <li>• Carriers sanction</li> <li>• Alien's register</li> <li>• Information sharing/international cooperation</li> <li>• Biometric information</li> <li>• Forged/expired documents</li> </ul> |

<sup>29</sup> For instance, questions regarding nationalities allowed in, who counts as family members for reunification, etc. (Helbling and Kalkum 2017)

<sup>30</sup> For instance, cultural and/or economic requirements, steps in the application procedure (Helbling and Kalkum 2017).

<sup>31</sup> Family had 11 items, labour 21, asylum 15, co-ethnics 13, and control 13 (Liv *et al.* 2016: 6).

|                      |  |  |  |   |
|----------------------|--|--|--|---|
|                      | <ul style="list-style-type: none"> <li>• Equal work conditions</li> <li>• List of occupations</li> <li>• Labour market tests</li> </ul>  |  |  |   |
| External Regulations | <ul style="list-style-type: none"> <li>• Work permit validity</li> <li>• Renewal of permit</li> <li>• Transition temporary permanent</li> <li>• Loss of employment</li> <li>• Flexibility of permit</li> </ul> | <ul style="list-style-type: none"> <li>• Residence permit validity</li> <li>• Autonomous residence permit</li> <li>• (Self)employment</li> </ul> | <ul style="list-style-type: none"> <li>• Permit validity</li> <li>• Permit renewal</li> <li>• Permanent permit</li> <li>• Right to appeal</li> <li>• Status when crisis resolved</li> <li>• Free movement</li> <li>• (Self)employment</li> <li>• Form of benefits</li> </ul> | <ul style="list-style-type: none"> <li>• Aiding irregular immigrants</li> <li>• Identification documents</li> <li>• Amnesty/Regularisation programs</li> <li>• Public schooling</li> <li>• Employer sanctions</li> <li>• Marriage convenience</li> <li>• Detention</li> </ul> |

Source: own compilation based on Helbling *et al.* 2017.

**Raw data availability:** yes<sup>32</sup>

### 2.5.3 General remarks

The authors also frequently refer to MIPEX as another index that can be complementary to their work. The encompassing nature of their study is aimed at multiplying the comparison possibilities: 'By including virtually all OECD member states, it is possible to study countries with very different immigration experiences: there are traditional settler states (Australia, Canada, New Zealand, and the United States), countries that have experienced increasing immigration since WWII (e.g., Great Britain, Germany, France), countries that recently turned from emigration to immigration (e.g., Italy, Spain) and countries that have experienced very limited immigration or have not yet been given attention in this regard in the literature (e.g., Finland, Japan, Chile, Mexico). Among other things, this will allow investigations of how immigration flows shape immigration regimes and the formation of immigration policy in emigration countries (e.g., Poland)' (Helbling *et al.* 2017: 81). By selecting countries belonging to OECD, the authors can benefit from the host of control variables (population, GDP, etc.) collected by the same body and which are commonly included in multivariate analyses of immigration (for instance, regarding the impact or determinants of immigration), hence avoiding problems of data availability and reliability.

IMPIC is rightly including short-term immigration schemes in its analysis, as they represent a significant element in migration policies (see also Ruhs 2015). However, by the same token, it is not clear why student migration is excluded from the analysis (Helbling *et al.* 2017: 83). Student migration accounted for between 18% and 23% of all residence permits issued in the EU between 2008 and 2016<sup>33</sup>, hence if volumes of migration is the criterion, these forms of migration surely should have been included.

Visually inspecting the data, in several migration categories – e.g. family reunification – there is remarkably little within-country variation. As outlined above, this is due to the very coding method adopted by IMPIC. This might be a problem from a quantitative perspective if the index is plugged in inferential models, as absence of variation in the independent variables may materialise in low values of statistical significance and standardised effects on the dependent variable.

<sup>32</sup> Available at <http://www.impic-project.eu/data/> (accessed on 28/07/2017),

<sup>33</sup> [http://ec.europa.eu/eurostat/statistics-explained/index.php/Residence\\_permits\\_statistics](http://ec.europa.eu/eurostat/statistics-explained/index.php/Residence_permits_statistics)

## 2.6 MGI (Migration Governance Index)

### 2.6.1 General Description

**Full bibliographical reference:** IOM - The Economist Intelligence Unit (2016). 'Measuring well-governed migration: the 2016 Migration Governance Index', London [https://publications.iom.int/system/files/pdf/migration\\_governance\\_index\\_2016.pdf](https://publications.iom.int/system/files/pdf/migration_governance_index_2016.pdf)

**Geographical coverage:** 15 countries – the selection criteria are: 'broad representation of levels of economic development [ten emerging economic and five advanced economies, from five regions], type of migration profile (including receiving and sending countries), and geographic scope' (IOM - The Economist Intelligence Unit 2016: 7). The list of countries is: Bahrain, Bangladesh, Canada, Costa Rica, Germany, Ghana, Italy, Mexico, Moldova, Morocco, The Philippines, South Africa, South Korea, Sweden, Turkey.

**Time frame and update:** the report states that the 'analysis and content of this report cover the period from October 2015 to February 2016'. It seems that this is to be understood as that existing state policies have been analysed in that period, not that these policies were adopted in that period. In other words, it is a snapshot of governance in these countries taken in that timeframe. Update: a second phase of the project is foreseen, which will increase the number of the countries covered.

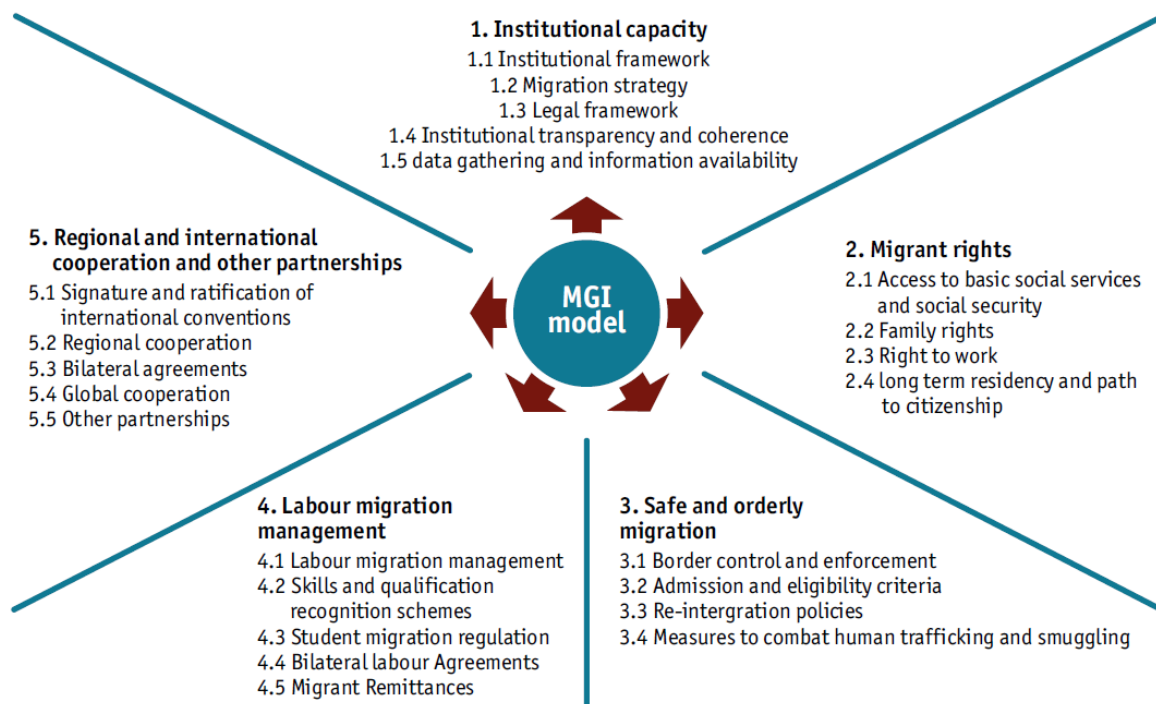
### 2.6.2 Methodology

**Rationale:** the index aims to provide a framework for evaluating country-specific migration governance structure, with a specific interest of monitoring migration-related Sustainable Development Goals (SDGs). By referring to the multifaceted notion of governance, the MGI wants to capture two main elements. First, that 'effective migration governance involves a variety of actors across multiple levels, and platforms that facilitate interaction among governmental institutions, the private sector, multilaterals and non-governmental organisations are essential to ensuring positive outcomes'. Second, 'while the MGI uses a broad definition of migration (which accounts for all types of migrants), the framework focuses primarily on labour migration'. (IOM - The Economist Intelligence Unit 2016: 11).

**Policies analysed:** while other studies focus on either single policies or set of policies, the MGI undertakes to include the institutional framework within which migration is regulated, i.e. 'institutions, regulations and operational structures' (IOM - The Economist Intelligence Unit 2016: 11). The five 'domains' identified below are selected because deemed 'the building blocks of effective migration governance'. These are divided into 23 'indicators', which in turn are based on 73 'sub-indicators'. (IOM - The Economist Intelligence Unit 2016: 15).

**Figure 1.** The structure of the MGI

**Figure 1. The Migration Governance Index scheme**



<sup>2</sup> Bandings are based on a scale of 0-10 where 10 is best. Nascent: 0-2.49; Emerging: 2.5-4.99; Developed: 5-7.49; 7.5-10.

Source: (IOM - The Economist Intelligence Unit 2016: 15)

The five domains are:

1. *institutional capacity*, which 'assesses countries' institutional frameworks, the existence of migration strategies, the existence of inward and outward migration governance legislation, and data availability and transparency'.
2. *migrant rights*, which evaluates 'countries' structures to ensure access to basic social services for migrants, family rights, the right to work, and long-term residency and paths to citizens. In other words, it measures countries' integration policies.
3. *safe and orderly migration*, which 'assesses countries' border control and enforcement mechanisms, measures to combat human trafficking and smuggling, and re-integration policies'. In other words, this category includes items which are generally labelled under either border control measures or entry/admission policies.
4. *labour migration management*, which measures 'countries' policies for managing labour migration, skills and qualification recognition schemes, student migration regulation, bilateral labour agreements and remittance schemes'.
5. *regional and international co-operation and other partnerships*, which includes the 'regional and international dimension of migration through an analysis of international conventions, treaties and laws, regional consultative processes, and bilateral agreements'.

**Sources and definitions:** the analytical framework takes into consideration regulations but also 'institutions across different sectors into account and evaluates the effectiveness of existing mechanisms for multi-stakeholder coordination' (i.e. the role of the private

sector in labour migration flow management) ((IOM - The Economist Intelligence Unit 2016: 15)). However, there is no full explanation as to the type of sources used.

**Unit of measurement:** policies per se.

**Coding, weighting, and aggregation:** indicators are measures on a 10-point scale: 'nascent' (0-2.49), 'emerging' (2.5-4.99), 'developed' (5-7.49), and 'mature' (7.5-10) (IOM - The Economist Intelligence Unit 2016: 8). Most of the coding is based on binary questions (IOM - The Economist Intelligence Unit 2016: 15). It is not fully documented how the authors reached their findings; in the Annex a scoring scheme is available for each indicator to inform evaluations. Under each domain, a neutral aggregation rule is applied, which considers all indicators and sub-indicators equally important. The same aggregation is applied among domains that are aggregated with neutral weights.

**Raw data availability:** no. The report provides a two-pages summary for each case study, which include three paragraphs on migration context, migration governance and indicator summary.

### 2.6.3 General remarks

There are several methodological features that are left unspecified by the MGI report. The period to which the report refers to is ambiguous, as are the sources used to reach their conclusions.

The MGI represents the only index which includes institutional variables, such as whether having a lead agency might matter for effective migration governance. The categories selected seem to be predominantly policy-led with a specific focus on 'good and effective' migration policies. This choice is framed in the debate on Sustainable Development Goals, and more in details in the SDG 10.7, which features as a target to '*facilitate orderly, safe, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies*' and where IOM is involved in finding suitable indicators and developing a policy-benchmarking framework to assess the extent to which national migration policies comply with the target.

Having in mind the policy-oriented goal of the index, however, its theoretical justification is less clear; for instance, it is not clear why safe and orderly migration should be a domain, and not a cross-cutting feature of migration policies more in general. Such questions are reinforced also by the fact that there seems to be a degree of overlap between this category and others. For instance, diaspora engagement policies are covered both in this category as well as under institutional capacity (IOM - The Economist Intelligence Unit 2016: 20–21, 26). Similarly, the justification for focusing exclusively on labour migration management as one domain triggers questions as to why other migration categories, such as family or students, are not included in specific categories, but subsumed under others. This choice has been justified building on the assumption that 'the desire to improve one's economic conditions remains a primary driver of international mobility' (IOM - The Economist Intelligence Unit 2016: 20–21, 26), which can be true for labour migrants but less for other migration categories.

From a European perspective, very few countries are selected (Germany, Italy, Sweden), which reduces the spectrum of variation. No eastern European country is present. For instance, it would have been useful to compare the MGI's selection criteria to the OECD's categories listed in its 2015 volume on integration (OECD and EU 2015), but this does not seem feasible with the current sample.



## 2.7 MIPEX (Migrant Integration Policy Index)

### 2.7.1 General description

**Full bibliographical reference:** Huddleston, Thomas; Bilgili, Ozge; Joki, Anne-Linde and Vankova, Zvezda (2015) Migrant Integration Policy Index 2015

**Geographical coverage:** 38 countries: Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, South Korea, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, the UK, the USA.

**Time frame and update:** 2004-2014 (2005 and 2006 missing). Yearly updates.

### 2.7.2 Methodology

**Rationale:** MIPEX has three main goals: policy comparisons through time; monitoring changes in integration outcomes through tracking changes in policies; evaluations. One area of overlapping between immigration and immigrant policies within MIPEX is the 'policy area' regarding 'family reunion for foreign citizens'.

**Policies analysed:** Labour Market Mobility, Family Reunion, Education, Political Participation, Long-term Residence, Access to Nationality, Anti-discrimination and Health.

**Sources and definitions:** experts' analysis of countries' policies and legislation.

**Unit of measurement:** policies *per se*.

**Coding, weighting, and aggregation:** MIPEX presents a total of 167 indicators for 8 policy areas, grouped under 4 sub-sets (eligibility, conditions for acquisition of status, security of status, rights associated with status). The MIPEX measures national policies on 1-3 scale, with 3 indicating the highest standards for equal treatment. In doing so, MIPEX follows a common strand in the literature which differentiates policies along the liberal/restrictive divide (e.g. IMPALA, DEMIG), but with a somewhat more normative stance. Such highest standards are decided on the basis of 'Council of Europe Conventions, European union Directives and international conventions' (Bilgili *et al.* 2015: 7). In other words, what is measured is not policies in individual countries, but a country's record against a definite benchmark. The methodology adopted by MIPEX is the following. Indicators are selected and scored by experts as well as peer-reviewed, and then 'within each of the 8 policy areas, the indicator scores are averaged together to give one of 4-dimension scores which examine the same aspect of policy. The 4-dimension scores are then averaged together to give the policy area score for each of the 8 policy areas per country which, averaged together one more time, lead to the overall scores for each country. In order to make rankings and comparisons, the initial 1, 2, 3 scale is converted into a 0, 50, 100 scale for dimensions and policy areas, where 100% is the top score' (Bilgili *et al.* 2015: 7).

**Raw data availability:** yes.

### 2.7.3 General remarks

It must be emphasised that MIPEX is the only index that, albeit not covering all areas of immigration, geographically includes all 28 EU member states. No other index currently offers the same coverage. In addition, the presence of a discrete number of updates (and the expectations of further ones) makes the index one of the few 'alive' source of information for migration policies, and moreover allow comparison between countries and within countries (over time). The user needs to bear in mind that there is one year discrepancy between the 'title given to the index' and the year analysed (i.e. MIPEX 2015 provides insights on migration policies in 2014).

The fact that so many items are included, under various fields ranging from family reunification to education, means in practice that much of the variation at the item level or even at sub-indicator grouping is lost when aggregation takes place at the higher levels. It is for this reason that many academic studies unpick MIPEX's individual items or groups of indexes for their studies. For instance, Ruedin recommends to recombine indicators in the index to fit researchers' needs and minimise validity problems (2015: 630). Ruedin also carries out correlation tests to check whether MIPEX-based scores match scores derived from other studies, eventually attaining very high and statistically significant results (Ruedin 2015: 633).

## 2.8 Ortega and Peri' index – 'Tightness of immigration reforms over time'

### 2.8.1 General description

**Full bibliographical reference:** Peri, G. and Ortega, F. (2009) *The Causes and Effects of International Labor Mobility: Evidence from OECD Countries 1980–2005*, New York: United Nations Development Programme (UNDP)

**Geographical coverage:** 14 countries: Australia, Belgium, Canada, Denmark, France, Germany, Japan, Luxembourg, Netherlands, Norway, Sweden, Switzerland, UK, USA.

**Time frame and update:** 1980-2005. No information on updates.

### 2.8.2 Methodology

**Rationale:** Ortega and Peri are interested in understanding whether policy restrictions manage to reduce immigration flows. The authors 'provide quantitative measures of immigration policy restrictions (or tightness) along several dimensions' (Peri and Ortega 2009: 2). Ortega and Peri 'classify [laws] based on whether they tighten the requirements of entry or stay in the country, separating laws that concern asylum seekers from laws dealing with other types of immigrants' (Peri and Ortega 2009: 2).

**Policies analysed:** 'asylum' and 'non-asylum immigrants' (Peri and Ortega 2009: 8). While the authors main interest is on immigrants' admission, they also include 'stay', which seems to be related to immigrant policies (i.e. integration) (Peri and Ortega 2009: 8).

**Sources and definitions:** the authors build on the previous database compiled by Mayda (2005) as well as 'the Social Reforms database of the Fondazione Rodolfo De Benedetti'. The two authors report that 'Mayda documented the main characteristics of the migration policies of several OECD countries (between 1980 and 2000) and the year of changes in their legislations. In turn, a significant amount of sources are quoted by Mayda, including *inter alia* newspapers' articles, peer-reviewed journals, governments' immigration portal (Mayda 2005). Mayda's full list of coded laws is available on a website<sup>34</sup>. The FRDB Social Reforms Database collects information about social reforms in the EU15 Countries (except Luxembourg) over the period 1987-2005' (Peri and Ortega 2009: 8). Ortega and Peri's full list of laws is available on a website<sup>35</sup>.

**Unit of measurement:** policies changes.

**Coding, weighting, and aggregation:** Ortega and Peri build 'three separate indices' for what they term 'tightness' of immigration law reforms. They report that the 'first index includes only those measures tightening or loosening the "entry" of non-asylum immigrants. The second is a more comprehensive index that includes measures tightening or relaxing provisions concerning the entry and/or the stay of non-asylum immigrants. The third is an index that includes changes in immigration policy concerning the entry and/or the stay of asylum seekers only. In general, we consider as "loosening" entry laws (implying a change in the tightness variable of -1) those reforms that (i) lower requirements, fees or documents for entry and to obtain residence or work permits or (ii) introduce the possibility or increase the number of temporary permits. We consider as a loosening in stay laws those legal changes that (iii) reduce the number of years to obtain a permanent residence permit and those that (iv) foster the social integration of immigrants. On the other hand, a reform is considered as tightening entry laws (+1 in the variable capturing tightness of entry) if (i) it introduces or decreases quotas for entry, and (ii) increases requirements, fees or documents for entry and to obtain residence or work permits. It is considered as tightening the stay-laws if (iii) it raises the number of years to obtain a permanent residence permit/citizenship or (iv) it introduces residence constraints.

<sup>34</sup> <http://faculty.georgetown.edu/amm223/policychangesAppendix.pdf>

<sup>35</sup> [http://www.econ.ucdavis.edu/faculty/qperi/Papers/immigration\\_reform\\_appendix.pdf](http://www.econ.ucdavis.edu/faculty/qperi/Papers/immigration_reform_appendix.pdf). Unfortunately, this link (provided by the authors in the paper) does not seem to be working any longer (accessed on 01/12/2017).

We also apply the same definitions for the tightening of entry and stay to asylum seekers in order to produce tightness variables for this group. In spite of these rules there are several reforms that do not explicitly fit any of the categories above. In those cases we classified them as "loosening" or "tightening", or no change, by scrutinizing the content of each regulation' (Peri and Ortega 2009: 8).

To ensure consistency in the coding, after 'three research assistants read the laws and provided [the authors] with a brief summary of each law[, t]hese summaries were read by the two authors and discussed until converging on the sign of the policy change' (Peri and Ortega 2009: 8). The authors introduced a baseline of 0 for the starting year, namely 1980. Ortega and Peri do not specify whether they adopted a specific method regarding weighting and aggregation.

**Raw data availability:** no.

### 3 IMMIGRATION POLICIES - Sectoral approaches

Several indexes, and especially before the 2010s, focused on single policy areas. These indexes tended to be developed for specific purposes, for instance as part of quantitative research on migration determinants, or in econometric studies on migrants' labour market integration. The most prominent examples in these sectoral approaches in the literature are analysed below.

#### 3.1 Cerna's Index

##### 3.1.1 General Description

**Full bibliographical reference:** Cerna, Lucie (2016). 'The crisis as an opportunity for change? High-skilled immigration policies across Europe', *Journal of Ethnic and Migration Studies*, 42:10, 1610–1630

**Geographical coverage:** 20 countries: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Italy, Japan, New Zealand, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, UK, USA. Countries are selected on the basis of 'different migration histories and experiences (i.e. traditional settlement countries; West European countries with guest-worker/colonial history; new immigration countries), and levels of (economic) interest groups' involvement in policy-making (determined by data on union density, centralisation/coordination of unions, and employers' associations, the integration of these interest groups into policy-making)' (Cerna 2014).

**Time frame and update:** two snapshots, one in 2007 and one in 2012. No information on updates.

##### 3.1.2 Methodology

**Rationale:** to demonstrate policy variation between countries across both space and time, Cerna measures policy openness and restrictiveness of migration policies targeting high-skilled migrants.

**Policies analysed:** highly-skilled migration policies, including temporary programmes.

**Sources and definitions:** highly skilled migrants are defined by Cerna as 'those with a university degree, working in occupations in relevant sectors (such as engineering, medical sciences, information communications and technology) and/or earning high incomes' (Cerna 2016). Sources are official documents (e.g. Laws, administrative decisions, etc.)

**Unit of measurement:** policies per se.

**Coding, weighting, and aggregation:** The index is 'disaggregated into admission mechanisms' and 'work permit rights', totalling six indicators: numerical caps, labour market test, labour protection, employer portability, spouse's work rights, permanent residency rights' (Cerna 2016: 1615). Each category is scored from 0 (highly open) to 3 (highly restrictive), then individual scores are added up and finally normalised from 0 to 100.

**Raw data availability:** no

## 3.2 The Openness Index and Migrant Rights Index

### 3.2.1 General Description

**Full bibliographical reference:** Ruhs, Martin (2015). *The price of rights*. Oxford: Princeton University Press.

**Geographical coverage:** 46 high- and middle-income countries: Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Czech Republic, Denmark, Dominican Republic, Finland, France, Germany, Greece, Hong Kong, Hungary, Indonesia, Ireland, Israel, Italy, Japan, Kuwait, Malaysia, Mexico, New Zealand, Norway, Oman, Poland, Portugal, Saudi Arabia, Singapore, Slovak Republic, Slovenia, South Korea, Spain, Sweden, Switzerland, Taiwan, Thailand, the Netherlands, Turkey, UAE, UK, USA, Venezuela

**Time frame and update:** 2009. No information on updates.

### 3.2.2 Methodology

**Rationale:** Ruhs observes that within any given labour migration policy, three aspects must be present: 'how to regulate openness i.e. the number of migrants to be admitted (e.g., through quotas or points-based systems); how to select migrants (e.g., by skill and/or nationality); and what rights to grant migrants after admission (e.g. temporary or permanent residence; access to welfare benefits; and limited or unlimited rights to employment)' (Ruhs 2013: 35). Connecting to broader debates on migration, Ruhs notes that while the first two dimensions relate to admission, the second relates to integration – namely, immigration policies and immigrant policies (respectively). Ruhs notes that the 'rights' dimension is crucial not only per se, but also instrumentally for both sending and destination countries, as well as for migrants themselves. For instance, he argues that whether the migrant worker has the right of free choice of employment (i.e. his/her residence permit is not connected to an employer) 'is likely to affect their productivity and earnings, remittances, and competition with local workers'. In other words, 'rights shape the effects of labour immigration'.

**Policies analysed:** labour migration policies.

**Sources and definitions:** both law and administrative rules. Ruhs points out that changes in immigration law, even significant ones, might entail a revision of law to be passed through the parliament (e.g. US), or might be dealt with solely using administrative procedures (e.g. UK changes to non-European immigration cap).

**Unit of measurement:** policies per se.

**Coding, weighting, and aggregation:** Ruhs analyses 104 such programmes in force for the year 2009. Each labour migration programme is assigned a 'targeted skill level', meaning the skills required in the (specific or range of) jobs that migrants are admitted to fill'. To this purpose, Ruhs defines 4 skill levels: low-skilled; medium-skilled; high-skilled; very high-skilled.

Having done that, a programme with a high (low) degree of openness is characterised by few (many) restrictions on the legal immigration and employment of migrant workers'. This means that openness is not recorded through actual numbers (which might be considered the outcomes of the policy), but rather on formal criteria that are present in policies on paper. Indicators hence need to be tailored to capture exactly the 'presence and strengths' of these restrictions. Restrictions within 'openness' are grouped under three main headings, namely 'quotas; criteria that employers in the host country need to meet to legally employ migrant workers ("demand restrictions"), and criteria that potentially migrant workers need to meet to be admitted to the host country ("supply restrictions")' (Ruhs 2013: 37). The openness index contains 12 indicators, while the migrants' rights 23. Indexes are based on equal weights and a simple aggregation procedure that involves adding up the normalised scores for each indicator to produce the overall indexes.

**Raw data availability:** no

### 3.3 Deterrence Index

#### 3.3.1 General description

**Full bibliographical reference:** Thielemann, Eiko R (2004). 'Why asylum policy harmonisation undermines refugee burden-sharing', *European Journal of Migration and Law*, 6, 47–65

**Geographical coverage:** OECD countries. Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, UK.

**Time frame and update:** 1985-1999. No information on updates.

#### 3.3.2 Methodology

**Rationale:** Thielemann's starting point is that while EU policy initiatives 'appear to have deflected substantial numbers of asylum seekers to less developed countries, they have done little to address the issue of the unequal distribution of asylum burdens among Western European states'. He creates a 'deterrence index' which seeks to quantify cumulatively the resulting mix of countries' changing asylum rules.

**Policies analysed:** asylum policies. The index includes five key measures to capture three 'deterrence dimensions':

- Access control policy: rules and procedures governing admission (visa policies, carrier sanctions) – here the index checks whether a given state has adopted the safe third country practice
- Asylum determination procedures (e.g. appeal rights, subsidiary protection) - The index checks whether a country is below or above EU average regarding the percentage of asylum seekers it allows to stay on its territory in a year, and takes the value 0 if the percentage of those allowed to stay is above the EU average
- Integration policy (housing conditions, educational opportunities) – here the index checks if asylum seekers enjoy: freedom of movement v. dispersal; Cash welfare payments v. system of vouchers; Right to work v. prohibition

**Sources and definitions:** The index is based on 'two sets of annual yearbooks, the OECD's 'Trends in International Migration' (SOPEMI) and the US Committee for Refugees' 'World Refugee Survey'' (Thielemann 2004: 55).

**Unit of measurement:** Policies per se.

**Coding, weighting, and aggregation:** For each measure Thielemann creates a dummy variable which takes the value 1 for each year that a measure was in operation in a country and the value 0 for all other years'. This results in an index ranging from 0 (lowest deterrence) to 5 (highest deterrence). The aggregation is additive, with no weighting applied.

**Raw data availability:** no

#### 3.3.3 General remarks

It is important to notice that many of these criteria have now become obsolete because of EU law changes (e.g. right to work, subsidiary protection). Thielemann concludes that the relative restrictiveness of asylum policy is a negligible factor in determining the distribution of asylum seekers when compared with traditional determinants for asylum and migration such as economic drivers, social determinants, and cultural and geographical proximity. More precisely, structural determinants are more likely to explain relative distribution than policy-related factors. In economic terms, GDP per capita and unemployment rates are respectively positively (0.7) and negatively (-0.52) correlated with relative asylum

burdens. The second most important factor is historical ties (0.63), which grasps network and chain migration effects.



## 3.4 Asylum Policy Index

### 3.4.1 General description

**Full bibliographical reference:** Hatton, Timothy J (2009). 'The Rise and Fall of Asylum: What Happened and Why?', *The Economic Journal*, 119:535, F183–F213

**Geographical coverage:** 19 OECD countries: Australia, Austria, Belgium, Canada, Czech Republic, Denmark, France, Germany, Hungary, Ireland, Italy, Netherlands, Norway, Poland, Spain, Sweden, Switzerland, UK, US.

**Time frame and update:** 1996-2006. No information on updates.

### 3.4.2 Methodology

**Rationale:** Aiming at understanding the 'ebb and flow' of asylum in Europe, Hatton develops an index to capture the influence of policies on asylum seekers' flows. He groups the ways in which governments 'can limit the number to whom they grant refuge'. First, by 'allowing access only to applicants who are on the country's territory and by tightening controls at the border through visa requirements, enhanced security checks and other measures to prevent illegal entry, a country can effectively restrict access to its asylum procedures. Secondly, the definition of a refugee is subject to differences of interpretation, with some countries taking a tougher line than others on exactly what constitutes a 'well founded fear of persecution'. Thirdly, 'there is a variety of ways in which the conditions for asylum seekers can be made less (or more) attractive, including access to benefit and employment during the refugee status determination process and the extent to which the procedures provide opportunities for asylum seekers to melt away into the illegal sector' (Hatton 2009: 196).

**Policies analysed:** asylum policies

**Sources and definitions:** three sources: OECD's International Migration Outlook; ECRE reports; US Committee for Refugees and Immigrants (Hatton 2009: 211).

**Unit of measurement:** policy change (as compared to baseline in 1997)

**Coding, weighting, and aggregation:** the index is composed of 15 indicators. Taking 1997 as a baseline, the score for each country decrease by -1 if the policy adopted is generous to asylum seekers, or viceversa increases by 1 if the policy is restrictive. The index is based on the following coding:

- Conditions relating to *access* to territory
  - Visa requirements, border controls, penalties for trafficking, carrier liability, offshore applications
- Conditions relating to the *processing* of applications and the determination of status
  - Definition of a refugee, manifestly unfounded applications, speeding up of processing, subsidiary status, appeals
- Conditions relating to the *welfare* of asylum seekers
  - Detention, deportation, employment, access to benefit, family reunification

**Raw data availability:** no

### 3.4.3 Annotations

Looking at the three main groupings, Hatton notices that while 'access' and 'processing' became 'especially restrictive between 2001 and 2005', those concerned with the 'welfare' of asylum seekers 'became tougher but at a more even pace' (Hatton 2009: 201–202). What Hatton might be alluding to here is that a chronological-based causation effect of 9/11 on asylum policies (much studied also under the securitisation framework<sup>36</sup>) is

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<sup>36</sup> (Huysmans 2000; Boswell 2007)

especially evident for what concerns the admission conditions of asylum seekers, but not so much on the rights granted to them.

In Hatton's opinion, recognition rates correlate quite closely with applications, lending some support to the idea that toughening up policies (leading to lower recognition rates) might bring down the overall number of applications (2011: 49). However, this seems questionable. First, recognition rates are usually regarded as the effects of policies, so it would be better to discuss them separately. Second, even if one wanted to pursue this strategy, asylum applications should be lagged, as we would expect that recognition rates have effects on applications in the following years.



## 4 Findings

### 4.1 General Description

Among the indexes analysed, a wealth of information is available for long-standing destination countries, and for OECD countries. This circumscribed number of countries can benefit from the coverage in various indexes, which entails throughout analysis on different migration policies and across time. On the other side, the indexes' coverage of non-OECD countries remains extremely limited. Even the analysis of the EU migration policies at national level is hindered by lack of data, as only the latest version of MIPEX covers all the member states.

Regarding the historic coverage of the policies, it is possible to identify two groups of indexes: the first focuses on relatively close past (from 2006 onwards), the second explores a longer span of time (as of 1980)<sup>37</sup>. The exception is DEMIG, with its impressive coverage from 1945-2013 (and some information available also for the pre-1945 period). The latest available years covered to date is 2015-2016 (by MGI). Among the indexes analysed, the MIPEX is the only one regularly updated and investing in a continuous expansion both in terms of number of countries covered and migration policies strands analysed.

Besides the geographical and time coverage, many other factors need to be taken into consideration when selecting an index such as the interest to compare across countries or over time in the same country, or both. In addition, the specific policy areas captured by a given index are essential, and although this report has found several overlapping, measurement, coding and aggregation do vary, yielding at times different results. To further explore the validity of these indexes, and identify areas of disagreement, the experimental initiatives to correlate indexes or their indicators seems promising. IMPIC's authors have already carried out correlations between their data and DEMIG's (Helbling and Kalkum 2017), and others have done this in the area of integration and citizenship (Ellermann 2013: 50–51; Ruedin 2015).

The future challenge for comprehensive migration policies indexes lies in coming up with a less resource-intensive but regular way to update and geographically broaden their coverage. Several good practices can already be identified and build upon in the construction of such index.

- Matching the policy categories analysis with the definition of international data providers such as OECD, as IMPALA and IMPIC have already done. This facilitates the inclusion of indexes in multivariate analyses.
- Do not focus exclusively on OECD countries, but also check the policy evolution in less studied countries.
- Connected to the previous point, checking not only immigration policies, but also emigration ones, as DEMIG does.
- A simple binary coding such as IMPALA, explicitly designed to allow future researchers to extract only some information and then re-aggregate them according to their specific needs seems a promising avenue.
- Finally, the guiding questions of the indexes should be diversified, as a single focus on whether policies have become more or less restrictive might provide a biased account of what migration policies stand to achieve (this is one of DEMIG's conclusions, and MGI deliberately eschews such framing).

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<sup>37</sup> Included in the first group ICI, MGI, The Global Migration Barometer, Cerna, Openness Index and Migrant Rights Index, in the second DEMIG, IMPALA, IMPIC, Asylum Policy Index.

## 4.2 Methodology

**1. Rationale:** most of the indexes set out to capture whether policies either restrict or broaden the set of rights enjoyed by immigrants. This echoes a larger and old trend in the study of migration policies (Joppke 1998; Freeman 1995; Messina 2007; Hollifield *et al.* 2014; Castles *et al.* 2014; Hansen 2002). Such research question also assesses the efficacy of migration policies, as they provide a shortcut to analyse what the objectives of migration policies are. Indeed, any discussion regarding success or failure in policies should always be traced back to objectives. In other words, failure about to what goal(s)? This is not a trivial exercise, as it is at times difficult to establish what a given policy wanted to achieve. In particular, migration policies can be thought to answer to objectives in a legislative bill (Czaika and De Haas 2013), or might be answering to organised interests in societies (Freeman 1995), be in line with broader societal and demographic purposes (Reitz 2014), or have a symbolic value (Groenendijk 2004). Indexes that posit a restrictive or liberal nature in policies offer a way to solve this plethora of objectives by assuming that much of what policies stand to achieve is to limit or broaden migrants' sets of rights, or admission possibilities. That said, DEMIG reaches the conclusion that more than being about restricting immigrants' rights, migration policies are about selecting immigrants. Other index, such as the Global Migration Barometer or the MGI decided to focus on other aspects, such as the quality of migration governance or the attractiveness of countries for immigrants. Future indexes should explore other possibilities in terms of migration policies' purported goals.

**2. Policy analysed:** the results from this study indicate that there is significant overlap in terms of policy areas being coded by migration policies indexes. The table below offers a brief overview of this overlap by selecting some of the indexes – both comprehensive and sectoral – analysed in this report. The reader should bear in mind that the actual content of what has been coded and how it was coded may vary significantly, as each of the fiche describes. Indeed, policy areas might be termed differently under each of these indexes, sub-policy areas might be included to a different degree, or the unit of observation might change (policies or changes). The table includes MIPEX to show the extent to which immigration and immigrant policy indexes overlap, at least nominally, in areas such as labour migration or family reunification.

**Table 3.** Migration policies coverage, selected indexes

|                               | Family reunification | Borders | Labour Migration | International Protection | Irregular Migration | Students | Others                              |
|-------------------------------|----------------------|---------|------------------|--------------------------|---------------------|----------|-------------------------------------|
| <b>Comprehensive approach</b> |                      |         |                  |                          |                     |          |                                     |
| DEMIG                         | Y                    | Y       | Y                | Y                        | Y                   | Y        | Emigration                          |
| Global Migration Barometer    | Y                    | N       | Y                | N                        | N                   | N        | Government policy towards migration |
| ICI                           | N                    | N       | Y                | N                        | N                   | N        | Y***                                |
| IMPALA                        | Y                    | Y*****  | Y                | Y                        | Y                   | Y        | Citizenship                         |
| IMPIC                         | Y                    | Y*      | Y                | Y                        | Y*                  | N        | Co-ethnic                           |
| MGI                           | Y                    | Y       | Y                | N                        | Y                   | Y        | Institutional capacity              |

|  |   |   |     |   |   |   |  |
|--|---|---|-----|---|---|---|--|
| MIPEX                                      | Y | N | Y   | N | N | Y |  |
| Ortega & Peri                              | N | N | Y   | Y | N | N |  |
| <b>Sectoral approach</b>                   |   |   |     |   |   |   |  |
| Cerna                                      | N | N | Y** | N | N | N |  |
| The Openness Index and Migrant Right Index | N | N | Y   | N | N | N |  |
| Deterrence Index                           | N | N | N   | Y | N | N |  |
| Asylum Policy Index                        | N | N | N   | Y | N | N |  |

Source: authors' elaboration

\*: Grouped under 'Control Mechanisms'

\*\* : Only Highly skilled migrants are covered

\*\*\*: Government benefits; law enforcement; housing; voting; legal services

\*\*\*\*: Even though borders as such are not mentioned in the list of policies being coded, the authors do refer to visa in their empirical analysis (e.g. Gest *et al.* 2014: 267).

NB: for the full indicators and policies covered, please refer to the respective fiche

**3. Sources and definitions:** Among comprehensive approaches, IMPALA and IMPIC have aligned to a large extent their choice for migration categories with major data providers such as UNDESA, OECD, and Eurostat, to offer to researchers a rather smooth employability of their indexes, while others did not (DEMIG).

**4. Unit of measurement:** Differences in units of observation have significant consequences not only for the kind of analyses that can be carried out, but for how results should be interpreted. Analyses based on policy changes should be used exclusively in within-country analyses, as policy changes cannot be compared across countries. While a sense of overall direction might be kept (e.g. are policies overall getting more or less restrictive?), cross-sectional analyses are impaired by this coding method. Coding policies *per se* do not face the same constraints, but 'this method limits data collection and analysis to a pre-determined set of policy variables, which means that idiosyncratic, country-specific migration policies are missed out' (de Haas *et al.* 2015: 2). De Haas *et al.* suggest 'there seems to be a potential to use comparative databases [such as IMPALA or IMPIC] to calibrate change-tracking databases [like DEMIG] by providing a baseline level of restrictiveness across a number of policy areas for specific years [...]. In this sense, both tracking and comparative policy databases have their distinct value, and should ideally be combined in future research' (de Haas *et al.* 2015: 16).

The table below sums up the unit of measurement used in each of the index analysed.

**Table 4.** Unit of measurement

|                               | <b>Policies <i>per se</i></b> | <b>Changes</b> |
|-------------------------------|-------------------------------|----------------|
| <b>Comprehensive approach</b> |                               |                |
| DEMIG                         |                               | X              |
| Global Migration Barometer    | X                             |                |
| ICI                           | X                             |                |
| IMPALA                        | X                             |                |

|  |   |   |
|--|---|---|
| IMPIC                                      | X |   |
| MGI  | X |   |
| MIPEX                                      | X |   |
| Ortega & Peri                              |   | X |
| <b>Sectoral approach</b>                   |   |   |
| Cerna                                      | X |   |
| The Openness Index and Migrant Right Index | X |   |
| Deterrence Index                           | X |   |
| Asylum Policy Index                        |   | X |

Source: authors' elaboration

DEMIG stands out as remarkable example of an index taking into consideration policies' changes. It shows that the share of major and mid-level policy changes has decreased, while minor changes went up. This is interpreted by the authors as signalling that recent policy changes do not radically change existing migration policies, but are more likely to marginally modify national rules. Further specifying this point, IMPALA notices that 'regulatory density'<sup>38</sup> (which is calculated as the number of 'tracks of entry' for each migration category for a given year) is on the rise across States (Beine *et al.* 2016: 829–830), but with huge variation across countries and, within countries, between categories (Beine *et al.* 2016: 839–840). For instance, in 2008 Spain had 43 entry tracks across five categories while Germany had 143. The point about complexity is not a merely descriptive one, as it is generally believed that complexity is, *inter alia*, a proxy for political salience. Hence, by observing a rise in complexity, the authors might be also witnessing a rise in political prominence of migration.

**5. Coding, weighting, and aggregation.** In terms of coding, the most widespread recommendation in the literature is to include indicators that can cover all possible manifestations of a concept across cases. DEMIG is the only index that codes not only immigration but also emigration policies.

Aggregation rules are overall clear in the more recent strand of policy indexes. Weighting of individual components is generally avoided, but when this is done (DEMIG) it is accompanied by explicit criteria and provision of data for replicability. Unweighted aggregation remains preferable as it allows easy replicability or use by other researchers, who might not share the same research interest or assessment for the attribution of different weights of specific index items. Both aggregation strategies have their limits, as 'averaged representations smooth over real differences in policy by assigning each policy dimension equal weight while additive scales create false intervals between values' (Wallace Goodman 2013: 51). Such aggregation problems may be nested in measurement issues. Wallace Goodman reflects that assuming additive relationships between index components 'neglects the possibility that these subpolicies differently affect outcomes, where some policies are more determinist than others' (Wallace Goodman 2015: 1907). When constructing and disseminating indices, hence, it would be good practice to spell out what are the logical relationships between the components (Bjerre *et al.* 2015: 573–574). This will also help in weighting components when aggregation needs to be carried out. However, this does not rule out that, for some policies, the symbolic component might be

<sup>38</sup> Also dubbed 'regulatory complexity'.

more relevant than an exclusively functionalist one, which is what is premised in index creation (Wallace Goodman 2015: 1907). Some authors have argued that, for instance, the very practice of reinstating internal border controls might have a more symbolic than functional role (Groenendijk 2004).

In its most recent update, MIPEX features 167 indicators, aggregated at several levels. This allows researchers an impressive leeway in zooming in and out to different degrees of specificities or generalisation within the topic of migrants' integration. So far, there is no comparable achievement in the area of admission. As mentioned before, while IMPALA allows for very detailed studies and recombination possibilities, it is limited in both time and geographic coverage. IMPALA is promising in the possibility of zooming in and out within policy realms, simple binary coding and tailor-made aggregations, although raw data is not available yet. However, as it is, the methodology is labour intensive and would benefit from a scaling down of the coding effort involved. Other major endeavours such as DEMIG and IMPIC enlarge their scope of analysis, at the expense of their depth.

### **4.3 Indexes' main findings: what do indexes have identified as major trends in migration policies?**

*LIBERAL OR RESTRICTIVE NATURE.* Methodologically, the very distinction upon which many databases are premised – liberal vs restrictive – may be problematic. One example may be instructive. For a variety of plausible reasons, some may consider the change in migration policy towards a points-based system in the UK as a restrictive turn, for instance because it signalled the turn to a skill-biased immigration policy which did not favour individuals from poorer countries where access to education might have been more difficult. However, some argue that at the time of its adoption towards the end of the 2000s, the points-based system was an advance towards a clearer and more transparent way of admitting migrants as compared to pre-existing obscure and discretionary methods. This example also illustrates how indexes that should aim to cover the same issues – migration policies in general, or highly skilled migrants in particular –, and with the same guiding question – i.e. have migration policies become more restrictive? – might end up with strikingly different results.

Findings collected by the *comprehensive indexes* point out that, based on their long-term perspective, policies have become less restrictive. That said, DEMIG highlights that the level of restrictiveness does vary across migration categories and migrant groups: policies have become more restrictive in border control and exit<sup>39</sup>, and towards irregular migrants and family members; less restrictive in entry and integration policies, and towards 'high- and low-skilled workers, students and refugees' (de Haas *et al.* 2016: 1). Consistent with DEMIG's conclusions, IMPIC observes that 'Conditions and criteria to enter and stay in a country have become more liberal for labour migrants, asylum seekers and people joining their families' (Helbling and Kalkum 2017). In addition, EU countries seem to have slightly more restrictive policies overall, compared to the sample of countries considered by the comprehensive indexes, and specifically for family reunification, labour migration, and control policies (since the 1990s) categories, while for asylum EU countries seem to have become slightly more liberal policies since 2000s. IMPALA, on the other hand, slightly qualifies this finding. Indeed, while complexity is on the rise, IMPALA finds no consistent pattern across migration categories and countries when it comes to the main object of the research, namely the restrictive or open nature of the policies. In economic migration, for instance, the US has consistently had very stringent policies for the unskilled and open for the skilled when 1999 and 2008 are compared, while Switzerland shows almost no change at all over the same period with a very restrictive policy for both skilled and unskilled migrants in place.

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<sup>39</sup> E.g. deportation.



The reason for such disagreement might be twofold. First, the coverage of these projects is different, both in time and geographical terms. Indeed, DEMIG too highlights that in most recent decades (the ones that IMPALA is also looking at), more restrictive policy changes seem to have prevailed. Second, the categories and coding are also different. Within an even smaller sample, the MGI revealed that countries tended to protect more migrants' right to work and to acquire citizenship, while access to welfare and family reunification were the most constrained (IOM - The Economist Intelligence Unit 2016: 23).

*THE EUROPEAN CASE.* Due to the fact that the IMPIC finds 'only a small difference between EU and non-EU OECD countries' in terms of policy convergence, it concludes that there are 'hardly any Europeanisation effects' (Helbling and Kalkum 2017). With a more historical approach on the evolution of European policies, DEMIG unveils a 'dominance of less restrictive changes', which is due to:

- i. *markedly liberal policies between WWII and the Oil Crisis* because of 'labor demand fueled by post-WWII reconstruction efforts and rapid economic growth' and the 'establishment of a groundbreaking refugee protection system';
- ii. *after the Oil Crisis*, the share of restrictive changes increased, as 'most European governments stopped active recruitment and tried to encourage return' but, at the same time, the 'growing importance' of UN and EU meant an expansion of human rights recognition into national legislations;
- iii. *since the mid-1990s* more and less restrictive policy changes have balanced each other out, as more restrictions for certain categories of non-EU immigrants have coincided with the opening-up of internal borders.

It is important to understand that these arguments tell us little about the relative weight of the entry channels which have been 'liberalised' against those which have been restricted. In other words, in numerical terms it makes a lot of difference to liberalise highly skilled migration but at the same time restricting family reunification.

*MORE LIBERAL, MORE RESTRICTIVE, OR JUST SELECTIVE?* Results from DEMIG suggest that, despite the almost exclusive focus on restriction in academic studies, another, primary objective of migration policies seems rather to be **selection**. DEMIG finds that characterising migration policies exclusively in terms of their liberal or restrictive nature downplays the fact that much of what policies actually intend to do is to select migrants, for instance through 'combining skill, class and nationality admission criteria' (de Haas *et al.* 2016: 19). What emerges from DEMIG investigation is that 'governments have opened more regular channels for "desired" migrants, while border surveillance has been increased in an attempt to prevent the entry of "non-desired" categories and/or curtail their social and economic rights' (de Haas *et al.* 2016: 21). To this point, the turn towards overall more restrictive policy changes in recent decades is not down to more restrictive entry policies, DEMIG argues, but to the higher share of border control measures within the total number of policy changes.

Turning to specific policies, in terms of the selective nature of policies, while DEMIG records a differentiation in the treatment of high- and low-skilled migrants (more favourable to the high-skilled), overall changes in *labour migration* policies tend to be less restrictive. On the other hand, policy changes towards *irregular migrants* have consistently – across time and places – been restrictive. Overall, policy changes towards *asylum seekers* and *refugees*, as well as *family members*, have headed towards being less restrictive. However, more restrictive policies have taken place in asylum since the 1980s, and for family reunification since 1990s. IMPIC digs further into family reunification policies, and while it often reports little within-country variation over time (Helbling *et al.* 2017: 94), it finds two contrasting trends in family reunification. The so-called 'external regulations' related to eligibility criteria and conditions became more restrictive in several countries, whereas 'internal regulations' regarding the security of status and rights associated 'remained more stable'.

Regarding asylum policy, Hatton's Asylum Policy Index shows an increase in policy restrictiveness in the period considered (1996-2006). However, there is large cross-country variations, with the most restrictive changes recorded in Australia, UK, Netherlands, and Denmark, while Sweden and Poland are comparatively more liberal.

*POLICIES AS TOOLS.* Several academic studies, both quantitative and qualitative, conclude that migration policies seldom work. For instance, quantitative research on migration determinants has observed that economic, demographic, and social factors are more significant than political and policies circumstances in determining migration flows and composition (Hooghe *et al.* 2008). In more qualitative approaches, case studies and comparative research have shown the limits of governments' attempts at shaping migration (Castles 2004a, 2004b; Hollifield *et al.* 2014; Thielemann 2006; Czaika and De Haas 2013). Ortega and Peri stand in contrast to this negative assessment, as they argue that 'stricter entry laws significantly discourage immigration. Each reform which introduced tighter *rules of entry* for immigrants decreased immigration flows by 6% to 10%' (Peri and Ortega 2009: 3).

DEMIG has also further investigated the effects of *specific migration policy instruments* (mainly visas) on migration outcomes, particularly compared to other migration determinants (Czaika and de Haas 2016: 5). By doing so, DEMIG has checked not only the immediate effects of a given policy, but also medium- to long-term ones, and the "knock-on" effects such measures can have on (other) migration flows' (i.e. the "externalities" of specific policy measures').

To isolate the effect of visas, DEMIG created a database on bilateral flows (DEMIG VISA) from 38 countries to 190 other countries between 1973 and 2011 (Czaika and de Haas 2016: 11). A survey of descriptive statistics reveals that '35% of all 90,293 dyad-year observations' were visa free<sup>40</sup>. Most corridors constrained by visas involved countries either in South-East Asia and sub-Saharan Africa, followed by Middle Eastern countries and North African ones. In the sample, visas were introduced 547 times and removed 612 times. To measure the visa effect, they calculate the 'migration circulation or "turnover" (i.e. inflows plus outflows) and net flows (i.e. inflows minus outflow)', besides the normal inflows and outflows. Czaika and de Haas conclude that visa policies is one of the most significant instruments in the hands of government to reduce inflows (Czaika and de Haas 2016). Problematically, though, visa policies tend also to limit outflows (emigration), hence making the overall impact of such policies more ambiguous. The authors also highlight that visa barriers may drastically reduce the responsiveness of migration to economic conditions and fluctuations in origin and destination countries' (p. 14). This is a significant finding as, from an economic performance viewpoint, previous research had highlighted how migrants tended to react rather efficiently to shortages in the labour market, thus providing for an equilibrium in such markets both in origin and in destination countries (Hooghe *et al.* 2008). In other words, the downside of reinstating visa restrictions might be a loss in employment-related benefits of migration.

Ruhs concentrates on a central feature of current labour migration policy (OECD 2017: 11, 19-26), i.e. temporary labour migration schemes. Ruhs counts 104 labour immigration programmes for 46 countries in 2008, which yields an average of 2.3 programmes per country. However, there is conspicuous variation. Sweden and Belgium, for instance, had only one such programmes in place, while the US had 6, and Canada and Australia 4. As widely recognised in the literature, 'programmes designed to admit and employ higher skilled migrants are more open and grant more rights than programmes targeting lower-skilled migrants' (Ruhs 2013: 39). Consistent with his previous research, Ruhs finds that for upper high-income countries, there is a trade-off 'between openness and certain specific migrant rights (i.e. programmes that are more open to admitting migrant workers also impose greater restrictions on specific migrant rights)'.

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<sup>40</sup> 119 observations referred to blacklisted corridors (meaning that a visa application could not even be lodged). These were added to the 'visa-constrained corridors'.

*GOVERNANCE*. As mentioned in the fiche, the MGI is the only index looking at the institutional arrangements across states to achieve a *good* governance of migration. The best practices in 'comprehensive migration policy' are tied to 'institutional coherence' and 'policy connectivity'. This means two things: 1) institutionally, one body within the public administration has to take the lead for what concerns the coordination of migration, which is regarded as a cross-cutting issue which entails that consistency is achieved between the multiple departments working (even tangentially) on this topic; 2) exactly because of this cross-cutting nature, migration should not be 'pursued in isolation' but 'in tandem with other policy domains' (IOM - The Economist Intelligence Unit 2016: 8). Transparency is key for a comprehensive governance, and a good proxy for that is data availability regarding migration-related issues at country level (IOM - The Economist Intelligence Unit 2016: 8–9). Finally, looking instead at what makes countries attractive for immigrants, the Global Migration Barometer finds that, *inter alia*, countries that score high in their index – meaning are attractive to migrants – 'have solid environments, which helps to protect the rights of legal migrants, and many have an open attitude towards migrant family reunification' (Economist Intelligence Unit 2008: 13).



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