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ENLARGEMENT AND TRANSITION. MOBILE SCIENTISTS IN THE GROWING EUROPEAN UNION

INTRODUCTION

The imminent 2004 “big” enlargement was welcomed, by the new European citizens, with many hopes, including those related to the new mobility rights that were to be enjoyed after the enlargement. According to pre-accession surveys, the majority of Polish society aged 18–24, considered free movement rights a primary benefit of the EU membership (Byrska, 2004, p. 3). Yet, transition periods in the area of the free flow of persons, established by the Treaty and the Act on Accession of April 2003, posed a serious challenge to these hopes. The effects of transitional periods were uncertain. Some attempts have already been made to measure the actual impact of transitional periods on the post-accession flows between the old (EU-15) and new member states (NMS) (e.g. European Commission 2006). This article aims to contribute to the research on post-enlargement internal EU-25(27) migration and more specifically, to the research on the impact of transitional periods on the direction and characteristics of these flows. Some of the results of research on mobility of scientists in an enlarging Europe, conducted within the MOBEX2 project are presented¹. The article seeks to analyse the impact of transitional periods on a particular type of

¹ Research project *Mobility and Excellence in the European Research Area (MOBEX2)* has been conducted by the School of Law, University of Leeds, funded by the ESCR and Anglo-German Foundation (more on the project at: www.law.leeds.ac.uk/mobex). Empirical research included a data base (n = 290) with the results from the questionnaire, sent via e-mail to mobile and intentionally mobile scientists from Poland and Bulgaria, originating from biological or physical sciences. The questionnaire sample was balanced with regard to age and gender. The database included interviews with a selected sample of questionnaire respondents (n = 93), as well as with prominent scientists with mobility experience who observed the mobility of their staff (n = 20), and with key informants from different

international movement, which is the scientific mobility made up of the highly skilled mobility streams. The countries under study are Poland and Bulgaria, representing new members and accessing states respectively². Germany and the UK, represent the so-called old member states that have opted for and against transitional periods, respectively.

The article starts with presenting selected dimensions of the political environment in Europe, in which the researchers' mobility is taking place. Subsequently, characteristics of scientific mobility, as part of international migration flows, is presented. The question arises whether the differentiation of legal conditions, for employment of scientists from the new Central and Eastern European (CEE) member states in the old EU-15 countries, has an impact on the decisions and motivations of scientists. In other words, this article aims to add to the studies on the nature of researchers' mobility, by investigating if and to what extent the researchers' mobility is shaped by political decisions and differences in legal conditions.

Due to the lack of any reliable statistics on the flows of researchers between the countries under study, the emphasis will be placed on the qualitative issues, i.e. how the perception of enlargement influences mobility decisions of scientists.

RESEARCHERS' MOBILITY ENHANCEMENT – THE VISION OF THE UNION AND ITS MEMBERS

Faced with demographic and economic problems, the European Union started to look for possible ways to overcome negative tendencies and develop a comprehensive strategy for future Union development. Consequently, one of the major economic goals of the Lisbon Strategy and the renewed Lisbon Strategy was “to become the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion” (European Communities, 2000a, point 5). The establishment of the European Research Area (ERA) was to be one of the means to achieve such an ambitious goal. Mobility was planned to be an inherent part of ERA, according to the vision of the Council that asked to “take steps to remove obstacles to the mobility of researchers in Europe by 2002 and to attract and retain high-quality research talent in Europe” (European Communities, 2000a, point 13). This statement laid down the foundations for further development of the EU research policy and its emphasis on mobility, understood as both, the policy of attracting scientist from outside the Union and, increasing the mobility of European researchers according to the expressed need

governmental and non-governmental institutions that shape the researchers' mobility policy in the countries under study (n = 20).

² The MOBEX2 project was conducted in the years 2004–2006, after the Polish and before the Bulgarian accession to the EU.

for 'more abundant and more mobile human resources' in science (European Commission, 2000).

The vision of mobility, as one of the crucial means to strengthen research in Europe, was further reinforced in many EU documents, and especially in the mobility strategy for ERA, outlined by the Commission in 2001. The strategy aimed to "create a favourable environment for mobility of researchers in the ERA, in order to develop, attract and retain appropriate human resources in research and promote innovation" (European Commission, 2001a). More concrete initiatives, such as; the creation of European network of mobility centres (ERA-MORE), the creation of European Researcher's Mobility Portal, the ERA_LINK initiative, aimed at attracting back European expatriate researchers, the adoption of the Charter for Researchers and Code of Conduct for the Recruitment of Researchers (placing emphasis on giving the right value to the mobility experience) (European Communities, 2005b) all bear witness to the Union's strong commitment to the idea of desirability of mobility in science. And, last but not least, the support for enhanced mobility in the European Research Area is clearly visible in the growing financial outlays on various grant schemes for mobile researchers (Morano-Foadi, 2005).

The 'external dimension' of researchers' mobility entails making Europe more attractive for researchers from third countries (European Commission, 2001b). Within the global competition for human capital, the USA, Canada, Australia and New Zealand, Japan and Korea are the main competitors of Europe (Iredale, 1999, 2001; Mahroum, 2001). Efforts to promote Europe as a good place for research, finally led to the adoption of a directive on special admission procedure for researchers. It facilitated the access of third country researchers to the European labour markets with the aim to conduct research, "but only under hosting agreements with research organizations" (article 1, European Communities, 2005a). The directive was a significant turning point in the EU common strive to attract the best within the global competition for highly skilled, though, it is worth noting that one of the major "poles of attraction" in Europe, namely the UK, decided not to participate in this measure.

While the EU as a whole is entering global competition to attract 'the best', its member states are also making every effort to benefit to the greatest possible extent from the highly skilled inflow to Europe. The EU seems to be supportive of all the measures and policies aimed at facilitating the admission of third country researchers, whether for shorter (compare European Communities, 2005c) or longer stays (European Communities, 2005d).

European countries have different ways of attracting and retaining the highly skilled (for the review on the changes in migration policies in this field see: MacLaughan, Salt, 2002). The methods used encompass, for instance, attracting students from third countries and giving them permission to work after completion of their studies (Germany, the UK, France) (Mahroum, 2001), special immigration programs for highly skilled immigration, like the Highly Skilled Migrant Programme in the UK and the new regulation for highly skilled

in German law of 2004, special visas for scientists, like scientific visa in France and also also the tax reductions for highly skilled in Denmark, Netherlands, or Sweden (Mahroum, 2001, p. 34). All of these measures bear witness to the increasing competition amongst the EU countries, to attract the most valuable immigrants from the point of view of human capital, knowledge and generic skills they bring with them.

The UK and Germany, being the receiving countries of the European researchers' flows, are worth special attention in this context. Both countries experienced significant changes in their immigration policies in the 1990s. The changes aimed at more managerial, than restrictive, mode of migration regulations, with special programmes and laws intended to attract highly skilled workers.

Germany's first initiative, announced by chancellor Schroeder in August 2000, the "green card" programme, was designed to attract IT specialists in response to the declared labour market shortages in this field. Foreigners with a degree in IT or related disciplines, graduating from German universities or from abroad, were offered up to 5-year work and residence permit, with the possibility of changing the employer without labour market tests. Until the beginning of 2004, 16,000 of such permits were issued (Salt, 2005, p. 30). Further steps to attract human capital were taken in the new Residence Act of 30 June 2004, which came in force in January 2005. Agreed after years of a wide public debate and partisan bargaining, the new law contained special regulations concerning students, and highly skilled workers, among them researchers. All these groups were established as more privileged categories of incomers. According to the new law, students graduating from German universities may extend their residence permit for a period of maximally one year after the graduation, with the purpose to seek employment (*Residence Act*, section 16), whereas highly qualified foreigners, may be granted a settlement permit with the omission of labour market testing and without a specific job offer (*Residence Act*, section 19). The new law in Germany certainly bears evidence that this country joined the global competition for highly skilled, in particular the researchers. Already in 2003 there were over 20,081 foreign researchers working in German science, representing only about 4% of the total of over 482,417 researchers in Germany. Among them, 688 researchers from Poland and 309 from Bulgaria³. Yet, it has to be noted that there are some grounded worries about the incompleteness of German statistics in this field and the real numbers are probably higher.

Noteworthy changes occurred also in the UK's attitude towards immigration in the 1990s. Opting out of the EU cooperation in the field of migration and asylum, the UK concentrated its efforts on the development of its migration management. An outstanding example of these efforts proved to be the UK's Highly Skilled Migrant Programme, in force since 2002. This programme uses a points system (reflecting the Canadian style), based on education, work

³ <http://www.wissenschaft-welttoffen.de/2005/2/1/1/1>.

experience, past earnings and achievements in a given field, that enables the entry to the UK of highly skilled foreigners, with the aim to look for and take up employment. Finance, business, IT, and medicine represent the four main fields of specialists which enter the UK via HSMP channel (Salt, 2005, p. 30). Also in case of researchers' mobility, the UK has been experiencing a constant significant inflow of foreign scientists. Despite problems with attraction and retention of talents in research careers (Olivier, 2005; Ackers and Gill, 2005), the UK definitely remains a pole of attraction for researchers and a 'post-doc' paradise in Europe, due to, for instance good research infrastructure, reputation for science, and the proliferation of fixed-term research contracts (Morano-Foadi, 2005, p. 150). The attractiveness of the UK is clearly visible in the numbers of foreign researchers working there. In 2002/2003, 41% of all doctoral theses awarded in the UK were defended by non-UK domiciled candidates. At the same time, foreigners constituted 38% of junior research staff in the country (Ackers and Gill, 2005).

RESEARCHERS' MOBILITY – A PART OF MIGRATORY FLOWS IN EUROPE?

Researchers' mobility, seen in the wide spectrum of migratory flows of unifying Europe, constitutes a part of highly skilled mobility (HSM). There are some distinctive features of researchers' mobility that are group-specific, yet, there are also certain features that are common in both, researchers' mobility and other parts of highly skilled flows. The nature of HSM has been under many studies since the 1980s (cf. Salt, 1988). Various authors investigated the scale, nature and consequences of these movements in a globalised world. Recently, the nature of scientific mobility attracted researchers' growing interest (cf. Ackers, 2005b). However, some important questions still remain, with the key question, whether we should talk about scientific migration or researchers' mobility.

In case of researchers' flows in Europe, the migration versus mobility dilemma is not only an issue of definition. This is indeed the reflection of multidimensionality of this phenomenon in the migratory mosaic of Europe. Given the acknowledged blurring of boundaries between the permanent and temporary migrations (King, 2002, p. 93), and the observed domination of temporary over permanent movements in contemporary Europe, it has to be admitted that researchers' mobility represents one of the best examples of "the time-space continuum of migration/mobility (which – AK) is truly continuous" (King, 2002, p. 93). International collaboration of researchers, which is a "particular feature of scientific research" (Ackers, 2005b, p. 121), ranges on the time continuum, from one day or even few hours seminar visits, through few days conferences, visiting lecturing, one or few months study visits, to the couple years fellowships and finally permanent positions. The space continuum

ranges from inter-institutional mobility in one city, through mobility within a region and within a country, to international mobility inside and outside Europe. The “complex spatiality” and “diverse temporalities” of researchers’ mobility (Williams et al., 2004, p. 40), are definitely one of the main arguments in favour of using the “mobility” or “circulation” term, to name a phenomenon that, on the one hand, constitutes a part of migratory flows, but on the other hand, goes beyond the scope of traditional migration studies.

Therefore to study the nature of highly skilled mobility and more specifically, researchers’ mobility, more and more often, the traditional definitions, theories and divisions worked out by studies of economic migration, are being found insufficient and replaced by the search of new definitions, divisions and theories, that encompass the specifics of this group, and allow the researcher to study the determinants, mechanisms and effects of this mobility.

The micro-level approach, concentrating on individual motivations of a person, is dominating in research on determinants of highly skilled mobility, and especially in the case of scientific mobility. This is the reflection of traditional migration theories based in neoclassical economics (cf. Massey, 1999), however, a special emphasis is placed, not on wage differentials, but on the wide spectrum of other motivations related to career progression. Moreover, non-economic motivations are reflected in the terms used to capture this type of mobility, where mobile scientists are called “knowledge migrants” (Ackers, 2005b), while their international moves are named as “migration of expertise” (Salt, 2005, p. 30) or “migration of self-realisation” (King, 2002).

Furthermore, the traditional dichotomy of voluntary vs. forced migration, used in migration studies but often questioned nowadays (cf. King, 2002), may be found in the HSM studies, under a changed form of the “expectation of mobility” dilemma. Although such expectation varies, according to countries and disciplines of science (Ackers, 2005b), yet it is widely acknowledged to be relatively high in the research profession and “appears to be an important and common component in the accepted science career trajectory” (Morano-Foadi, 2005, p. 144). According to Louise Ackers, the strong “expectation of mobility” throws a new light on the traditionally conceived freedom of migration decisions (Ackers, 2005b).

There are also more complex approaches to HSM determinants, drawing from many traditional migration theories, based on economic push/pull analysis and sociological theory of networks role in migration (cf. Iredale, 1999, p. 91). Alan Williams et al., (2004, p. 41) pointed to both, “structural or institutional features of particular spaces” such as law, tax regime, economic opportunities, welfare regime and immigration control, and to the role of “transnational social networks” resulting in trans-local connections, as the factors that facilitate international HS flows. This approach included the reaffirmation of the state, as the “key site of regulation” in migration process, in case of HSM (Williams et al., 2004, p. 42). This is especially worth noting, given that the ever growing freedom of movement in Europe, channelled migration research and especially

HSM research to other than state-to-state framework, and that the role of state policies in regulating migration processes in Europe have been challenged (e.g. Favell and Hansen, 2002).

The necessity to include the state into the perspective of HSM studies was also pointed out by Robyn Iredale (1999). Recalling elements of the theoretical framework for skilled migration by Salt and Findley in 1989, and encompassing international spatial division of labour, the nature of careers, the role of international labour markets, and the lubrication provided by the recruitment companies. Iredale rightly suggested that the fifth element – state policy and various bilateral or multilateral agreements signed by states – should be also taken into consideration (1999, p. 91).

Undoubtedly, it is worthwhile to add the “political” dimension to the HSM analysis. One of the key questions in HSM research is not only what triggers off mobility, but also what determines the geographical direction in which the mobile individuals are heading. In other words, which countries attract and which countries send highly skilled labour. Without going into detail of the old brain drain/brain gain vs. brain circulation dilemma in HSM studies (e.g. Carrington and Detragiache, 1998; Meyer, Brown, 1999), it goes without saying that it is important to which countries the HS streams flow, because of their effects. The latter are described in terms of knowledge transfer or human capital transfer (e.g. Williams et al., 2004; Mahroum, 1999), to a greater extent than in case of other migratory movements, where the demographic, labour market and social consequences are considered in the first place.

Regarding the mechanisms of mobility, the scientific (and student) mobility proves to be more autonomous than other kinds of HSM. The lack of organizational support is a distinctive feature of scientific mobility in comparison to other types of HSM, where a vast majority of flows occur within the structures of transnational companies (Ackers, 2005b). The ‘internationalization of professions’ (Iredale, 2001), the role of networks in researcher’s career, and the specifics of science, that places individuals as competitors for the best scores and results, definitely play a role in the channelling of scientific mobility into more individual than organised structures of migration.

Last but not least point worth attention, in relation to scientific mobility, is the growing bulk of research on student migration, which only recently surfaced as a promising research field. Working on the answer to a key question – what is the impact of student migration on their future location and migratory decisions (cf. King and Ruiz-Gelices, 2003; Baláz et al., 2004) – adds new dimensions to the understanding of the nature and determinants of scientific mobility in Europe.

To sum up, the nature of scientific mobility, the close links between inter-institutional, inter-sector, and international mobility of scientists prove, that this phenomenon is on the one hand, a part of a complicated migratory mosaic of Europe, yet on the other hand, in many aspects, goes beyond traditional migration studies. One of the aspects that needs further research, is the potential

influence of state policy on this particular type of international movements (in case of international moves of researchers). It is worth supplementing the wide spectrum of scientific mobility drivers, with an analysis of whether and, if yes, then to what extent, political decisions and resulting legal conditions influence scientific mobility.

The transitional periods, in the free flow of persons area, agreed during the negotiations on the 'big' EU enlargement, created a unique opportunity to study the role of political regulations in migratory decisions of many groups of real and potential migrants from the 8 Central and Eastern European countries, and the researchers among them. Coming back once again to the "time-space continuum" metaphor of scientific mobility, this continuum could be well disrupted by a border line drawn up by the state, if the short time visits, conferences, scholarships and study visits are left on one side of the border line, and only one, yet crucial stage – the gainful employment is left on the other side.

LEGAL POSITION OF SCIENTISTS AND THEIR FAMILIES IN THE EUROPEAN UNION

When in 1993 Barbara Rhode was describing the East-West flows of highly skilled workers and scientists before 1989, the picture was grim. To such international mobility impediments, as the limited acceptance of foreign degrees and diplomas, non-transferability of welfare and security entitlements, work permits and visa requirements (Rhode, 1993, p. 232), one must add also the impossibility of return to home country for many East Europeans, if they decided to prolong their stay in the West (mostly in a way of overstaying tourist visas). The memories of these hard times were also present among the interviewed scientists:

When I came back from abroad under the martial law, I was refused to get visas for my husband and my child to go with me. I had to go back abroad as I had a grant there, but I did not wanted to go without my husband and my child anymore. So it had lasted for almost a year, I had dramatic talks with secret service officers (S3P).

Although this gloomy reality belongs to the past of the enlarging Europe, yet, not all obstacles to East-West mobility were removed. The gradual development of free movement legislation in the European Communities, evolved constantly in the past decades, due to new legal acts, as well as, to the European Court of Justice jurisdiction, encompassing the constantly growing number of EU citizens' groups (workers, self-employed, students, family members, retired persons) able to move freely within the Union (Guild, 2004). The introduction of the EU citizenship, with the right to move and reside freely in the EU, as an inherent part of this new legal construction, rendered it necessary to

unify the scattered free movement *acquis*. Consequently, all free movement provisions relating to different groups of people, were merged together in one comprehensive directive, on the right of EU citizens and their families to move and reside freely in the EU (European Communities, 2004a).

Yet, the free movement of persons in the EU, although reinforced and promoted by the dynamically developing law and case law in this area, still has many shortcomings with both legal and other obstacles to free mobility of workers persisting. The recent research on mobile scientists in the EU, proved the existence of many unsolved issues relating to social rights and child care accessibility for mobile workers (Stalford, 2005). In a similar vein, the so-called Kok report on the Lisbon Strategy implementation prospects, pointed to the persistence of an administrative obstacle to mobility, related to social security entitlements and the recognition of qualifications (European Communities, 2004b). As it was further reinforced by the Commission, the EU *acquis* on social security matters covers all EU citizens, however, there are no specific solutions or legislation aimed at the specific situation of researchers, the problems of their pension rights transferability in particular (European Commission, 2005). A specific problem arises also from the different approach to PhD training, varying across disciplines and countries, as PhD candidates are treated either as students or as employees (Ackers, 2005a).

All in all, although the free flow of workers rule has been well embedded in the EU legal framework, research shows that it still needs some further steps (not necessarily only of legal nature) to remove all the remaining obstacles to intra EU mobility. The work has not been finished, and one might have doubts if it ever can be completed. Nevertheless, the old EU 15 nationals are in the most privileged position, in comparison to researchers originating from the new member states or third countries.

The EU idea to increase the European pool of researchers and to attract the brightest and the best to Europe, has considerable limitations. Obviously, the strongest limitation is the fact, that the EU is not in a position to admit any third country citizen, as this remains still an exclusive competence of EU member states. The directive, due to be fully implemented in October 2007, on admitting third country researchers with the purpose of carrying out scientific research, represents an effort to unify the procedures on admission throughout the Union, yet, it leaves up to the member states many decisions relating to the admission of foreign researchers. Besides, more favourable provisions existing in any of the EU countries may be sustained. Consequently, the diversity of regulations is bound to persist, and the access of foreign researchers and their families to European labour markets will still vary across the EU, according to various national regulations.

Although these provisions aimed at attracting the highly skilled, in many EU countries the work permit remains a crucial barrier to the labour market for the third country citizens. Once admitted, the position of the third country national and his/her family members is shaped mostly by national regulations. Variation

occurs in different spheres, such as; access to and scope of social rights; extent of the right of spouse/partner to join the family member; the partner's right to work. While foreigners, legally present on the territory of the states, benefit from the EU antidiscrimination legislation (European Communities 2000b and 2000c) and other international human rights treaties that offer basic protection against discrimination, they don't benefit from free movement rights in the EU, hence their mobility opportunities within the EU are limited⁴. To sum up, the situation of the third country researchers and their families in the EU is definitely worse than EU nationals, the latter profiting from Community free movement legislation.

DOES ENLARGEMENT MAKE ANY DIFFERENCE FOR SCIENTISTS? RESEARCHERS FROM NEW MEMBER AND ACCESSION STATES IN THE EU

Somewhere in between the old EU nationals and third country nationals (TCN) are the researchers from new member states (NMS). As EU citizens, they are in a better position than their colleagues from outside the Union. Yet, not benefiting fully from free movement rights, due to the imposed transitional periods in free flow of persons, researchers from the new member states, in comparison to their Western counterparts, experience a set of additional obstacles to mobility in the enlarged Union.

The Treaty on Accession and Act on Accession, signed on 16th of April 2003 in Athens, provided, among others, for transitional periods in the area of the free flow of workers (European Communities 2003a and 2003b), which was the effect of tense negotiations on these delicate and highly politicised issues. Public opinion in the West, fed by sometimes strongly exacerbated migration scenarios, offered by both journalists and researchers, was very prone to fear that enlargement would mean a wave of desperate East Europeans hunting for jobs and social benefits in the EU-15. The leading advocates for transitional provisions were Germany and Austria. Consequently, according to the Act on Accession, the old EU member states were given the right to apply national measures and bilateral agreements in the area of free flow of workers for 2, 5 or maximally 7 years⁵, instead of the Community law.

⁴ The long-term residents have a right to reside in the territory of members states other than the one which granted him/her the long-term residence status for a period exceeding 3 month, yet certain conditions must be met (European Communities 2004c).

⁵ Cyprus and Malta were not covered by the transitional periods provided for the rest of the accession states. The provisions on transitional periods were complemented by several provisions on their application. Firstly, standstill clause providing that the conditions of access, of NMS workers to EU labour markets, could not be more restrictive than they were at the day of signing of the Accession Treaty. Additionally, the preference over third country nationals was guaranteed to NMS nationals during the transitional period. A special safeguard procedure, was also provided for EU countries that did not impose transitional measures, that enables them to retreat from Community law application under certain conditions. According to reciprocity rule, NMS were allowed to impose reciprocal restric-

The decision whether to recourse to transitional measures was left up to the states. Decisions on the application of transitional measures were announced by EU-15 in the so-called “domino” process of spring 2004, when one after another EU member states went back on their earlier promises and imposed transitional measures initially for two years⁶. Only the UK, Ireland and Sweden did not impose transitional measures and announced their labour markets open for the NMS nationals, from the day of accession⁷. There were some attempts undertaken to predict the timing for the relinquishment of transitional measures by the rest of old EU countries (Bijak et al., 2004, pp. 41–44), however, as the authors admit, “there is always some uncertainty about such predictions originating from the changing political and economic milieu in which the political decisions are taken” (2004, p. 42).

The next EU enlargement occurred in January 2007⁸, in accordance with the Treaty on accession signed by EU member states and two candidates for membership – Bulgaria and Romania (European Communities 2005e). Annex VI, attached to the Act of Accession (European Communities 2005f), laid down the provisions for transitional measures in the freedom of movement area, that are identical to those provided for the 8 Central and Eastern European States in 2003. As a result, Bulgarian workers were to face the same barriers in access to old EU member states after accession, as those faced by NMS workers after the 2004 enlargement⁹.

Transitional periods have evoked a considerable amount of critique based on demographic, economic and legal arguments. Numerous studies criticised the idea, from both the political and economic standpoint (see e.g. Maas, 2002; Stalford, 2003; Byrska, 2004), pinpointing the lack of economic rationale for such solutions or the possible undermining of the whole concept of European citizenship.

The introduction of transition periods created diverse effects. Firstly, the right to apply national measures and bilateral agreements by EU countries, in respect to the free flow of workers, resulted in a huge variety of legal conditions for starting a gainful employment by a NMS national in EU countries. Diversity of rules in different countries is definitely not an encouraging mark of Europe, presented to the new members. Secondly, it has to be noted that the scope

tions in access to their labour markets for EU nationals. Interestingly enough, only Poland, Hungary and Slovenia used this opportunity.

⁶ In practice, this meant that work permits remained to be a crucial instrument, regulating access to labour markets in old EU member states. In general, the work permits are issued on the basis that there is no national or Community applicant for the position.

⁷ Workers Registration Scheme in fact represents a transitional measure as it relates only A8 group nationals.

⁸ At the time of the study, the 2007 enlargement was still forthcoming and, consequently, Bulgarian scientists were treated as third country citizens.

⁹ In practice it turned out that only Finland and Sweden (of the EU-15), and Lithuania, Latvia, Estonia, Poland, the Czech Republic, Slovakia, Cyprus and Slovenia did not use the possibility to introduce the transitional periods.

of transitional measures is strictly limited to one category of EU citizens i.e. workers. This, in consequence, leads to the overlapping of European and member states legal orders, while all kinds of travelling and moving of new member states nationals in the enlarged Union, are treated under the Community regulations, and only the field of employment is left to the member states regulations during the transitional periods. What's more, the new member states nationals' impression of being second-class citizens of Europe or 'quasi-outsiders' (Carrera, 2004, p. 10) is sometimes recalled, especially in the light of the rights attached to and constituting EU citizenship, one of them being the right to move and reside freely within the territory of the member states (article 18 of the Treaty establishing European Community).

An important question posed by the introduction of transitional periods is whether and how will they influence the scientific mobility in an enlarged Union? According to Stalford (2003, p. 6) "transition periods would pose the greatest disadvantage to the highly skilled for whom migration is more about career progression than it is about economic survival". In the following chapters of this article, basing on the social research results, I try to challenge this statement and prove that the highly skilled persons are the least, not most, affected group by political decisions and legal conditions.

EFFECTS OF TRANSITIONAL PERIODS – THE CASE OF POLAND

The crucial instrument regulating access to Polish labour market for foreigners is the work permit issued by the voivod (regional governmental representative), who is obliged to consider the situation on the labour market before issuing the work permit, as stated in the Act on the promotion of employment and labour market institutions of 20th April 2004¹⁰. However, there are some exceptions resulting from the Law on Higher Education (article 84)¹¹, and from the Law on the Polish Academy of Sciences (article 74)¹². According to these acts, foreigners employed as researchers, academics or language teachers in higher education (HE) institutions, or the Polish Academy of Sciences (PAS) institutes, are not required to have a work permit issued by a voivod, no matter what country they come from. As a result, there were significant differences in access to Polish labour market for foreign researchers, depending on the R&D sector. Whereas there were no formal obstacles for employment in HE institutions, and PAS institutes, for researchers wanting to work in business enterprises or Research and Development Units (Jednostki badawczo-rozwojowe)¹³, the work permit obligation must have been an important blocking factor.

¹⁰ Dziennik Ustaw (Journal of Laws), 2004, No. 99, item 1001.

¹¹ Journal of Laws, 1990, No. 65, item 385.

¹² Journal of Laws, 1997, No. 75, item 469.

¹³ The Law on R&D Units (article 32) (Journal of Laws, 2001, No. 33, item 388) is very imprecise about the work permit obligation for foreigners employed in the R&D units in Poland. Various inter-

The EU accession did not result in any significant changes in terms of the possibility to work in Poland for EU researchers. According to the reciprocity rule, EU nationals from the 3 EU countries that did not impose transitional agreements and the nationals of 9 NMS received easier access to employment in Poland in general, including the potential employment of researchers in the business sector or R&D units.

However, taking into account the very uneven distribution of researchers employed in different R&D sectors (almost 80% of researchers employed in HE institutions and PAS institutes), it must be concluded that the legal regulations could not have been a dominant factor shaping the inflow of EU researchers to Poland. The relatively small number of foreign researchers employed in Poland, must rather be the result of the lack of such pulling factors as proper salaries and scholarships or favourable conditions for research.

Taking into account employment conditions for researchers only, it seems clear that the legal changes resulting from EU accession could not have influenced, in any considerable extent, the mobility of EU scientists to Poland. However, it is worth noting that there has been a change in the conditions for employment of researchers' partners, yet, temporarily only in case of nationals of the UK, Sweden, Ireland and 9 other NMS. Only since January 2007, according to the order by the Ministry of Labour and Social Policy, the reciprocity rules were abolished and all EU-nationals are allowed to work in Poland according to the Community's free movement rights. Nevertheless, even in the case of non-existence of administrative or other barriers to labour market in Poland, the poor employment conditions in Polish science make it unattractive for researchers from the EU countries.

The results of our legal analysis were confirmed by qualitative research. The EU enlargement is not perceived as the turning point from the point of view of mobility decisions and attractiveness of Poland as a destination for foreign scientists. According to one of the interviewed key informants in Poland, there are hardly any signs of growth in Poland's attractiveness for researchers from the East.

However, Russian or Ukrainian researchers have been coming to Poland rarely and they come rarely now. Their best young researchers have already left, mainly to the US and partially to the Western Europe, to Germany. (...) We cannot compete with the Western countries where the living conditions are much better. If you decide to leave your country, to part with your family, with your friends and with your city, you probably are not so much determined about the place you go to. So you chose the best places (...). I cannot see any deep interest in Poland among the researchers from the East now (K5P).

pretations are possible (Main Council of the R&D Units, e-mail communication), therefore I assume that there are no special provisions in this case.

Yet, it is acknowledged that the EU enlargement, understood as the whole process of integrating Poland with the West, has undoubtedly contributed to more funds for exchange schemes and consequently more researchers from the West visiting Poland (K5P).

POLISH RESEARCHERS AND THEIR PARTNERS ON THE EUROPEAN LABOUR MARKETS

As stated in previous chapters, the situation of researchers from NMS and their families on the European labour markets is shaped, to a large extent, by transitional provisions of the Accession Treaty. The impact of EU enlargement on the position of Polish researchers and their families on the UK and German labour markets is presented below and is based on the legal analysis combined with qualitative research results.

AFTER THE ENLARGEMENT – THE CASE OF THE UK

The UK was one of the 3 old-EU countries that opened their markets for workers from the NMS as soon as 2004. According to the UK government's decision, there are no restrictions to seeking and taking up employment for Polish and other A8 nationals in the UK. Yet the Workers Registration Scheme poses an obligation to register at the Home Office, within the first 30 days of their work. Some restrictions on access to social benefits (especially unemployment related benefits) were introduced. Consequently, access to the UK labour market for Polish researchers and their partners is practically unlimited, what putatively might be an attracting factor in migratory decisions. There is no sufficient data to prove this hypothesis. According to the Home Office accession monitoring report, 810 nationals of A8 countries took up employment as researchers (360), teachers at HE (195) or researchers in medicine (255) (Home Office, 2007). Given that Poles represented 65% of the total NMS post-accession inflow, one could anticipate that probably they would also represent more or less the same proportion of researchers. Yet there is no data split by nationality available.

The change in conditions for undertaking employment after the EU enlargement is reflected in the interviews with Polish scientists based in the UK at the time of the study¹⁴. Generally, the respondents revealed positive experiences in relation to the enlargement, as well as numerous phenomena categorized by them as the consequences of enlargement. The EU enlargement was perceived as “doing justice”, by giving Polish scientists the same rights and thus, enabling them to compete with Western colleagues on equal terms.

¹⁴ Altogether 17 interviews were conducted with Polish scientists based in the UK. The respondents were selected from the questionnaire respondents.

It is easier to get a job because before we had this rule: you had to be very good in the field, better than EU nationals, which gave them more reasons to employ you rather than the others. Now if you are the same i.e. the same knowledge and experience, you have equal chances while before we had to be better. So now you have more chances (M18UK).

Equal rights in employment after enlargement are supplemented by equal opportunities to undertake studies, especially PhD studies, as the fees for EU nationals became equal to those for the UK nationals.

What was especially emphasized, were the fewer formalities understood as no work permit obligation, uncomplicated WRS system and generally less formalities.

It (EU enlargement – AK) has made my everyday life easier, things like visas, work permits, going to the bank, etc. (M18UK).

Furthermore, the very technical issues, such as cheap airlines, cheaper phone connections, and in general, better transportation, were mentioned. These did not result directly from the legal change of enlargement, but were associated with this event by the respondents.

Only a small minority of respondents (3 persons) didn't see any specific correlation between the EU enlargement and the scientific mobility. The attitude that 'the researchers have always moved anyway' is well expressed by a physicist:

I am sure it has made things better. I am not quite sure if I know about all the changes partly because in physics basically ever since the 1970s if not earlier physicists enjoyed much more freedom in terms of travelling than anybody else (M30UK).

The UK had been granting the right to work to the spouse/partner of a legally employed foreigner, even before the enlargement, and this represented and still represents an important attracting factor, which might have shaped the location decisions of researchers. This was a decisive factor that influenced the decision, to move to the UK, made by a Polish scientist, whose wife was unable to undertake gainful employment in Germany.

Maybe to my wife it could be an advantage; maybe in the future she could find a job. In Germany that was really a problem, she was not allowed to work. (...). So beforehand researchers could already move but its better for the families now as they do not need work permits (M28UK).

Generally, the attitudes of Polish scientists based in the UK are very positive towards the changes introduced by enlargement. Half of the respondents admitted that they notice a general change, and the same number admitted that they see or expect a positive change in terms of scientific mobility. The

attitudes of respondents vary slightly, depending on their earlier experiences of mobility. Researchers that have earlier encountered any serious formal or legal barriers to carrying out research abroad, have a more deep acknowledgement of the positive changes resulting from the EU enlargement.

Sure, it is much easier than years ago. I remember when I came for the second time to France before the EU membership and I had a lot of problems to apply for a visa and Poland had to pay for this visa and insurance. And now it is much easier (...). It is (WRS scheme – AK) not complicated in comparison to France for example where it is much harder (M02UK).

On the contrary, researchers who do not have any negative experience from the past, do not see much difference, as in case of many physicists cited above or people who had used various mobility schemes, where the formalities were ‘done for them’.

If you get a job in academia the work permit was automatic, so when I got my job they had to apply for my work permit (M03UK).

The predictions, expressed directly or indirectly by half of the respondents, that the anticipated increase in researchers’ inflow to UK after the EU enlargement, were later confirmed by Home Office monitoring reports (Home Office, 2007), which showed a rising dynamics of the inflow. Nevertheless, qualitative research seems to sustain the hypothesis that the favorable conditions for employment, internalized by scientists, add to the acknowledged attractiveness of UK as a place to do research.

Interestingly, there is another dimension to the question about the impact of the EU enlargement on the inflow of scientists to the UK. Already now, research shows that more than 2/3 of research staff, of foreign origin, had previously studied in this country (Ackers and Gill, 2005). The rising numbers of Polish students at British universities, could represent a natural potential pool for future research.

AFTER THE ENLARGEMENT – THE CASE OF GERMANY

Germany was one of the strongest advocates of the transitional arrangements during the enlargement process. Unsurprisingly then, according to the statements of German politicians, the transitional periods will probably be retained in this country for the maximal period of 7 years, i.e. till 2011. Consequently, the ability to undertake gainful employment in Germany, will be governed by German legislation and bilateral agreements till that date. It should be remembered however, that under the rules of the Act on Accession Polish and other NMS nationals should receive a preferential treatment in comparison to third country nationals.

The new German immigration law (new Residence Act of 30 June 2004, in force since January 2005) upheld the work permit system, based on labour market tests, as the primary legal channel of employing foreigners in Germany (*Residence Act*, section 18, 39). Additionally, the new law included special regulations concerning highly skilled workers, making them a more privileged group of incomers. According to the law, highly qualified foreigners may be granted the settlement permit with the omission of labour market testing and without a specific job offer (*Residence Act*, section 19). What is worth attention, is the fact that “scientists with special technical knowledge”, as well as “teaching personnel in prominent positions or scientific personnel in prominent positions” are among the three groups enlisted in the Act as “highly qualified persons” to whom the new regulations should apply (*Residence Act*, section 19). Such regulations create an additional division in legal conditions of employment for scientists in Germany, drawing a line between “the scientists in prominent positions” and the rest. What’s more, the conditions for employment of their partners/spouses also differ. The partners of scientists entering Germany under the rules of section 18 (work permit based on labour market testing) may undertake employment under the same conditions, while the partners of “scientists in prominent positions” could count on an automatic work permit (section 29).

All in all, the conditions of employment of Polish researchers and their partners in Germany, after the enlargement, are at first sight definitely less favourable than in the UK. But is this a discouraging factor in researchers’ mobility decisions? The qualitative study of Polish scientists based in Germany (at the time of the study), reveals that the attitudes towards the EU enlargement, and its real and possible consequences, vary considerably both between the respondents, as well as, between the German- and the UK-based Polish scientists¹⁵.

In Germany, the “there’s been a change” group existed and was made up of a significant proportion of respondents. Their experiences are twofold. Firstly, they pointed to fewer formalities and less bureaucracy as the result of Poland’s EU membership. They often made their point by highlighting the difference in their personal pre- and post-accession experiences.

First, you had many of the formalities and it is much easier now I think. So, at first when I came here I really had to get my visa and so on. And now I still need a permit but as soon as we joined the EU I just went and got a stamp without asking almost any questions and I just got a stamp for 2 years. That is all the formality now, if you have a job or research positions (MD05).

Some more intangible benefits of EU membership, relating to a better position in German society, were rarely recalled.

¹⁵ Altogether 20 in-depth interviews were carried out in Germany with Polish scientists selected from the persons that had previously filled in the questionnaire for mobile scientists.

I think the overall attitude of people here now is that you feel more welcome and you do not feel you are a second category person any more (MD05).

Interestingly enough, the issue of the spousal right to work was hardly mentioned by the respondents. This could be explained by the fact, that nothing changed after the EU enlargement and they could not see a difference.

On the contrary, the potential gains for Polish science from the EU membership in terms of new funding opportunities were a common category used by the respondents, when asked about the effects of EU enlargement. Majority of interviewees admitted that, they expect that the EU enlargement is/will be beneficial for Polish science in terms of increased funding opportunities.

When you look at the web pages you can see that these different projects and different conditions they work, for example, only for people from the EU and it is much easier (...). Of course it is much easier to get money for research in Poland from the Union (MD14).

The ‘no change’ group, expressing an opinion that the EU enlargement did not cause any considerable change in mobile scientists’ situation and would have no influence on scientific mobility, was better delineated in Germany than in the case of researchers based in the UK.

(...) before we had to have a working visa but everything was established and now because it is Germany and the Polish people cannot really work if they do not have a work permit, So, you have to really prove that you are needed and they need you and because the procedure who was not established everyone is completely lost in administration (MD11).

It has no influence because of the science level; it really is no influence (MD04).

A part of the “no change” group was also represented, like in the UK case, by a physicists expressing the view that scientists had always travelled anyway.

As far as I am concerned even during the Cold War scientists managed to travel in between the borders. I think, especially in physics, people always moved around the world so it has not changed that much (MD22).

It was emphasised that the most important thing was to find a position, and the administrative issues were of negligible importance.

For scientists I do not think so because we were needed by the other groups. But basically, there was a position open. It was not a problem to have a visa. Maybe like going to countries now we do not have to apply for a visa like England; maybe it is easier from an administration point of view but to get a position I think it does not make any change (MD11).

The conviction, that administrative barriers do not really represent a difficulty for migrant scientists willing to carry out research in Germany, might be the consequence of the smooth way of handling these administrative procedures in case of scientists. Hardly any respondents reported earlier problems with visa or work permit procedures. Yet, it has to be remembered that the comprehension of what represents a problem is a personality trait. This was well demonstrated by one of the respondents (MD17) for whom the “big battle”, lasting for two months, was “no major problem”:

In terms of salary or getting contracts and health insurance of course it was a big battle and it took time because I had to translate all the documents that I got. And just bureaucracy takes time but within 2 months – I think – I was done with everything and there was no major problems (MD17).

Summarising, the views of Polish researchers based in Germany on the effects of EU enlargement on scientific mobility in Europe are more diverse than in case of the UK-based Polish researchers. Only slightly less than half of respondents admitted that they noticed or expected general changes related to Poland’s EU membership, yet a high proportion of respondents saw or anticipated a positive influence of the EU enlargement on the funding of science in their home country. Nonetheless, the EU enlargement was not perceived by respondents as a turning point in terms of their mobility decisions and their vision of researchers’ mobility. Although some of them admitted that they expect a positive change, at the same time other scientists claimed that the fact is of no importance from the point of view of researchers’ mobility. Rarely could the respondents enlist any practical personal benefits arising from EU enlargement. The enlargement has been a more personal experience for Polish researchers based in the UK than in Germany, where the differences were not so vivid.

EU ENLARGEMENT IN THE EYES OF BULGARIAN MOBILE RESEARCHERS

Bulgarian researchers within the EU were treated independently from the Polish researchers in this study, because of their different position on the European labour markets at the time of the study. Still being third country nationals, yet with some privileges of an accession nation, the Bulgarians encountered many administrative and legal barriers in access to research positions. The EU membership still remained only a vision for Bulgarians, therefore, their answers regarding the potential future benefits of EU accession were more hypothetical and general¹⁶.

The most radical change associated by Bulgarians with the EU enlargement, was the elimination of visa obligations for Bulgarian nationals by the EU

¹⁶ 14 interviews with Bulgarian scientists in the UK and 13 in Germany were conducted within the Mobex2 project.

countries. This represented a real turning point in their perception as it abolished the uncertainty resulting from visa procedures. The uncertainty related to both visa decisions as well as length of the decision process.

Sometimes happened that somebody is going to be rejected and next time they were going to be accepted but it was really not a nice thing (MD09).

Then when he found a potential position and applied for a visa, he kept not hearing and chasing it and then not hearing until the start of term, So, he had to give up the position. (MD01).

The visa requirement was perceived as a serious barrier to free scientific contacts and research-related travel within Europe:

This is always a bad experience, you know, everybody goes and nobody needs a visa while we have to wait and because I need the visa I have to apply for the visa. If I am going to get it or not, we are not doing any reservations, we are not buying tickets and everybody is waiting. And you feel well that I am worse than the other one (MD09).

As well as a serious barrier to contacts with family members left in Bulgaria:

I have to send an invitation to my mum, so that my mum is going to be able to come here. I have to show them that I have enough money and stuff like this so that I am going to support my mum while she is here. It is a long procedure to be able and then I am still not sure if she gets a visa or not (...). Now she can come without anything... I do not do anything completely, you know. She just comes and that is fantastic (MD09).

The study did not reveal any special problems with work permits for Bulgarian scientists neither in Germany nor in the UK. This added to the wide-spread notion of scientists as a special or privileged group on the European labour market, for whom formalities either do not exist, are taken care of by employing institutions, or are smoothly dealt with by the administration.

Nevertheless, hopes were expressed by respondents that the EU accession would open up new possibilities of mobility, throughout entire Europe, without being constrained to one job position resulting from the work permits regime.

I think it (EU enlargement – AK) will help mobility of scientists and in a sense it will enrich science because people will be able to move more easily from one country to another country and not just stay in one place. Usually, the new ideas in work they come from new people coming from new places (...). People will go and try different things because of the opportunity they have to do it (M15UK).

The issue of the right for a dependant (spouse or partner) to work in the UK and the lack of that respective right in Germany, turned out to be very important for the Bulgarian respondents. The labour market testing and the need to prove that there is no German or EEA national for the chosen position,

was a serious barrier for spouses or partners of scientists, if they wanted to undertake employment beyond the science sector.

The most frustrating thing is they allow me to stay and work in this country for 3 years but they not allow my wife to work which is sometimes putting a woman in a quite frustrating position (...); they allowed her to stay here officially but not to work which is not the case in France (MD24).

Furthermore, the limited access to social rights in the UK (e.g. no child benefit) and expensive child care represented a problem for people with children. This problem might turn out to be a decisive factor in migrant scientist's location decision making, overpowering other motivations, even the attracting force of centres of excellence, as was the story of one of the respondents:

Since my wife is expecting a child, we would all have had to rely on my salary for the next year at least. It turned out, however, that contrary to what I had been told, my salary would have been lower in the UK than in Germany. (...) What also did not help was the realisation that although we pay as much national insurance and tax as any British person of similar income (in fact more tax, because we are not entitled to any tax credits, such as working tax credit or council tax benefit), we do not have a right to any social benefits, including any form of child support, such as child benefit or child tax credit (...). On top of that, the prices of nurseries in Oxford are simply obscene, with an average nursery rounding up at around 5-6 times the price of an average nursery in Munich (which happens to be the most expensive city in Germany) (...). At the same time living in Germany on my salary alone (as we will have to do for a while) will be not too comfortable but at least decent. Also, in Germany we do get the social benefits related to child support (...). I must emphasize that everyone in my would-be lab in Oxford was extremely kind, the conditions and projects there would have also been attractive, and the overall social atmosphere of the place appeared welcoming. Yet, faced with the harsh realities of life as a post-doc there (and being lucky to have the option of coming back to Germany) I voted with my feet and took the first plane back (MD15).

The vision of future EU membership benefits among mobile Bulgarian researchers varied heavily between the two extremes of optimists and pessimists. The former believed that EU funds would strengthen Bulgarian sciences and would make it more competitive.

Being a member of the EU will be beneficial for Bulgaria because it will mean an access to research money and increased collaboration. Bulgaria can also offer highly educated and well trained personnel to European science (MD10).

The pessimists slightly outnumbered the optimists. They did not have any hopes for better future of Bulgarian science and Bulgaria as a whole. Worries were expressed whether the funds would be able to reach Bulgaria, because, as

claimed by respondents, the founders tended to favour large and better research centres. Besides, the application for funds induces a lot of administrative work, and respondents were sceptical about project's proposal writing skills in their home country.

The current problems with the framework programmes of the European Union, I think, that they are not very good for newly associated countries because they expect some levels of equipment in these country. So, at the same time they do not provide funding for such equipment. And it is such a circle that will go on and will not improve (M07UK).

Interestingly, among the respondents that directly approached the issue of how enlargement might influence scientific mobility, only a minority of researchers expected a positive change in terms of new mobility possibilities or easier access to European labour markets, whereas the majority of respondents stated firmly that they did not expect the EU enlargement to make any difference to researchers' mobility. This might mean that they did not have any personal plans linked to this event, were unaware of the scope of EU citizens' rights or believed that nothing could change their situation, once they had already been admitted to the UK or Germany under the "old" conditions.

These pessimistic attitudes turned out to be definitely a distinguishing feature of Bulgarian mobile scientists when compared to Poles. Yet, it has to be remembered that, at the time of this study, the EU membership was still a future for Bulgarians, whereas the reality for Poles. Most of Bulgarian respondents' personal experiences, associated with the EU enlargement process, related to the past visa difficulties. Membership in the EU was still only a vision of the future, therefore, the statements on the subject were in a natural way expressed in a more hypothetical tone, including much more generalising than in the case of Poles.

CONCLUSIONS

The aim of this article was to add to the knowledge on the nature of researchers' mobility in Europe and to answer the questions, what difference did the enlargement make to mobility of scientists in the growing EU, and to what extent could the transitional periods influence mobility decisions of scientists. The results of the legal and policy analysis combined with the qualitative data analysis lead to some interesting conclusions.

From the legal point of view, transitional provisions definitely enhance the variety of conditions for employment of researchers in the European countries. Hypothetically, countries that did not introduce any transitional periods should be more attractive for scientists from NMS than the countries that did introduce them. That would only be true if we assumed, that the issues of administrative or legal barriers are a decisive driver in the migratory decisions of researchers.

Yet, the qualitative research results verify that assumption only to a certain extent. Positive effects of enlargement were most clearly expressed by Polish researchers based in the UK, where no transitional periods were introduced.

At the same time, the interview analysis indicates that although various administrative and legal barriers do represent impediments to scientific mobility, they are not usually a decisive factor in mobility decision. The study uncovered many problems facing migrant scientists, ranging from expensive child care, fears about accruing pension rights, frustration about hardly accessible work permits for partner (spouse) in Germany to limited social rights access in the UK (in case of Bulgarians), but these are rather obstacles that must be overcome or hardships that have to be endured, rather than discouraging factors influencing heavily the mobility decisions. Mobility remains such an important part of researcher's career, that the strong determination to overcome all possible obstacles persists. What's more, in case of researchers there were generally no significant problems with work permits reported, adding to the wide-spread perception of researchers as a special group, even before the enlargement.

All in all, it has to be stated that the issue of legal regulations is not crucial in determining mobility decisions of mobile scientists. Only a small minority of the interviewed scientists admitted, that their location decision (choice between the UK and Germany) was motivated mainly by the legal regulations regarding the social welfare access (Germany) or the spousal right to work (the UK). Also the case of Poland clearly shows, that despite the privileged employment conditions for foreign scientists in comparison with other foreigners, both before and after the enlargement, other factors decide that Poland is not an attractive place for foreign researchers.

Summarising, the issue of legal regulations and potential administrative barriers is certainly taken into account by researchers in their mobility decisions, yet it usually represents only one of many factors that altogether lead to the location decision.

LIST OF QUOTED INTERVIEWS:

M02UK – Polish post-doc in the UK, male.

M03UK – Polish physicist in the UK, post-doc, female.

M07UK – Bulgarian biologist, senior research fellow in the UK, male.

M15UK – Bulgarian post-doc in the UK, chemistry, female.

M18UK – Polish physicist in UK, post-doc, male.

M28UK – Polish physicist in the UK, post-doc, male, mobility experience in Germany.

M30UK – Polish physicist in UK, professor, male.

MD01 – Bulgarian PhD candidate, physicist, in Germany, female.

MD04 – Polish PhD candidate, biologist, in Germany, female.

MD05 – Polish PhD candidate, biology, in Germany, female.

- MD09 – Bulgarian post-doc, physicist in Germany, female.
 MD10 – Bulgarian post-doc, physicist in Germany, male.
 MD11 – Polish PhD candidate, biologist, in Germany, male.
 MD14 – Bulgarian PhD candidate, Germany, male.
 MD15 – Bulgarian post-doc, physics, in Germany, male.
 MD17 – Polish PhD candidate, Germany, biotechnology, female.
 MD22 – Polish physicist, PhD, in Germany, male.
 MD24 – Bulgarian post-doc, chemistry, in Germany, male.
 S3P – Polish professor in director position, biology, currently based in Poland, mobility experience.
 K5P – Polish professor in director position, biology, currently based in Poland, mobility experience.

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ENLARGEMENT AND TRANSITION. MOBILE SCIENTISTS IN THE GROWING EUROPEAN UNION

This article aims to analyse the impact of transitional periods on researchers' mobility decisions in the enlarging Europe. A compilation of policy and law analyses, together with social research, is the adopted method for this study. Countries under research are Poland and Bulgaria, as sending countries, and Germany and the UK, representing the EU member states that opted for and against transitional periods, respectively. The political environment in Europe, in which researcher's mobility is taking place, is presented along with the characteristics of scientific mobility as part of the international migratory flows. The question asked is, how the

perception of enlargement influences mobility decisions of scientists. The results of qualitative research proved only to a certain extent the hypothesis, that countries with no transitional periods introduced were more attractive for scientists from new member states than the countries with such periods introduced. The analysis showed that although various administrative and legal barriers do represent impediments to scientific mobility, yet they were not usually decisive factors for mobility.

Key words: mobility of researchers, EU enlargement, transition periods, free flows of persons