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**Promoting return and circular migration of the highly skilled**

**By Metka Hercog and Melissa Siegel**

**Maastricht Economic and social Research institute on Innovation and Technology (UNU-MERIT)**

email: [info@merit.unu.edu](mailto:info@merit.unu.edu) | website: <http://www.merit.unu.edu>

**Maastricht Graduate School of Governance (MGSoG)**

email: [info-governance@maastrichtuniversity.nl](mailto:info-governance@maastrichtuniversity.nl) | website: <http://mgsog.merit.unu.edu>

Keizer Karelplein 19, 6211 TC Maastricht, The Netherlands

Tel: (31) (43) 388 4400, Fax: (31) (43) 388 4499

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## **Promoting return and circular migration of the highly skilled**

Metka Hercog<sup>1</sup>

Maastricht Graduate School of Governance, Maastricht University  
[metka.hercog@maastrichtuniversity.nl](mailto:metka.hercog@maastrichtuniversity.nl)

Melissa Siegel<sup>2</sup>

Maastricht Graduate School of Governance, Maastricht University  
[melissa.siegel@maastrichtuniversity.nl](mailto:melissa.siegel@maastrichtuniversity.nl)

### **Abstract**

Migration of skilled workers from developing countries has increased substantially in recent years. Traditionally, such patterns raised fears on the ground of the associated ‘brain drain’ as human capital formation is considered to be of central importance to the development and reduction of poverty levels. Therefore, any loss of skilled workers through migration was considered harmful to the achievement of development goals. In contrast, the new body of literature emphasizes the positive incentive and feedback effects which skilled migration has on sending countries’ development as well as on other stakeholders. While most papers on the impacts of migration on development focus on remittances and low-skilled migration, we emphasize the effects of skilled return migrants which bring about the transfer of knowledge and skills. This paper examines five levels of policy concerning the mobility of skilled workers. Because of their differing positions, we examine the position of sending and receiving countries with regard to skilled migration separately. We look at receiving country policies, sending country policies, bilateral approaches, regional approaches and global approaches. This paper first explores what options are theoretically discussed at the five levels of analysis. Secondly, we observe what kinds of policies are actually used in practice and which policies show some evidence of success. We also systematically discuss the advantages and disadvantages (or limitations) of each policy option.

### **1. Introduction**

Migration of skilled workers from developing countries has increased substantially in recent years. Traditionally, such patterns raised fears on the ground of the associated ‘brain drain’ as human capital formation is considered to be of central importance to the development and reduction of poverty levels. Therefore, any loss of skilled workers through migration was considered harmful to the achievement of development goals. Clearly, this is a crucial issue for middle and low income countries, essentially because

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<sup>1</sup> Universiteit Maastricht, Maastricht Graduate School of Governance, P.O. Box 616, 6200 MD Maastricht, The Netherlands. Email: [metka.hercog@maastrichtuniversity.nl](mailto:metka.hercog@maastrichtuniversity.nl), phone: +31 (0)43 388 4670

<sup>2</sup> Universiteit Maastricht, Maastricht Graduate School of Governance, P.O. Box 616, 6200 MD Maastricht, The Netherlands. Email: [melissa.siegel@maastrichtuniversity.nl](mailto:melissa.siegel@maastrichtuniversity.nl), phone: +31 (0)43 388 4699

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their share of tertiary educated workers remains very low compared to high-income countries. Recently, though, the positive effects of skilled migration have been put to the center of the debate. Among other effects, the benefits that highly skilled return migrants can bring to their home countries are increasingly regarded as extremely important for development and many countries are seeking ways to benefit from the experiences of diaspora. While many papers on the impacts of migration on development focus on remittances and low-skilled migration<sup>3</sup> we emphasize the effects of skilled migrants which bring about the transfer of knowledge and skills by either returning or moving back and forth to their countries of origin.

This paper first explores what options are theoretically discussed in the literature. We explain why circular migration has gained such popularity within development policy circles. Secondly, we shed light on the position of countries of destination and of countries of origin regarding skilled migration, and in what ways they can contribute to tying skilled migration with development goals. Thirdly, we observe what kinds of policies are actually used in practice and which policies show some evidence of success, especially in sending countries. Different levels of policy engagement concerning the mobility of skilled workers are examined. We look at receiving country policies, sending country policies, bilateral approaches, regional approaches and global approaches. We also systematically discuss the advantages and disadvantages (or limitations) of each policy option.

## **2. Why promote return and circular migration?**

The Global Commission on International Migration (GCIM) noted in its report that ‘the old paradigm of permanent migrant settlement is progressively giving way to temporary and circular migration’.<sup>4</sup> It is commonly accepted that mobility of people has acquired a much more temporary character than it used to be. Globalisation and related sectoral shifts in employment require increased supply of highly-skilled manpower, which is increasingly flexible, responding to the changing needs of economies. Faster and cheaper transportation also made it possible that people can return and travel between countries easily, while technological progress intensifies communication practices and hence, makes transnational networks even more important. Because of such fluid patterns, it is for many cases, more appropriate to describe mobility of people as circulation instead of return. While return migration assumes a one-time mobility back to the home country, circular mobility better describes the continuity of moves from one country to another. Acknowledging this change in migration patterns, a range of policy-makers advocate measures in support of circular mobility as it is seen as a good opportunity for development of countries of origin. Such focus in the interests of developing countries is

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<sup>3</sup> for example,

G. Hugo, ‘Care worker migration, Australia and development’, Revised paper for consideration of a Special Issue of *Population, Space and Place*, (March 2008).

M. Ruhs, ‘The Potential of Temporary Migration Programmes in Future International Migration Policy’, 145 *International Labour Review* (2006), 1-2.

<sup>4</sup> Global Commission on International Migration (GCIM), *Migration in an Interconnected World: New Directions for Action*, (GCIM, 2005).

obvious from GCIM's report, which called for the need to grasp developmental opportunities that circular mobility provides for countries of origin.<sup>5</sup> However, circular migration is largely supported not only by developing countries but by different parties having a stake in migration because of the belief that circularity of migrants brings benefits to all sides when managed properly. The Global Forum on Migration and Development, therefore, proposes to define circular migration as 'the fluid movement of people between countries, including temporary or permanent movement which, when it occurs voluntarily and is linked to labor needs of countries of origin and destination, can be beneficial to all involved'.<sup>6</sup> In a more recent paper, the Migration Policy Institute defines circular migration in a more dynamic and non-prescriptive sense as a continuing, long-term, and fluid pattern of human mobility among countries that occupy what is now increasingly recognized as a single economic space.<sup>7</sup>

Circular migration has gained so much popularity in different policy circles because of the general idea that it can lead to benefits for all stakeholders. Circular migrants are more likely to send remittances when they have prospects of moving between countries. Moreover, especially with regards to skilled migrants, they benefit their countries of origin by contributing to the transfer of specialized skills and knowledge. Receiving countries benefit from circular migration by meeting labour market shortages while at the same time they do not have to deal with the often troublesome aspects of immigrant integration. Abella also brings up a further advantage temporary admissions have compared to permanent immigration when governments of receiving countries have to defend immigration policy to electorates that often feel threatened by increasing immigration.<sup>8</sup> Furthermore, employers in receiving countries benefit from having a pool of, usually, cheaper labour force which is already experienced and tested on a foreign labour market. Last but not least, immigrants can also benefit from the possibility of safer mobility between countries. Policy initiatives which encourage circular migration for the benefit of the migrants give them options for continuous engagement in countries of origin and in their host countries.

Most of such circular migration is happening spontaneously and is by no means a new phenomenon. Nevertheless, after recognizing the importance of migrant communities for development, there has been an increased interest of national and international actors in how different policies can foster and manage international migration in a way that it profits the parties involved. Especially with regard to skilled migration, there has been a dramatic shift in the perceived need for action. Instead of preventing brain drain, policy-makers are now making efforts to facilitate 'brain circulation' with encouraging mobility

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<sup>5</sup> *ibid*

<sup>6</sup> Global Forum on Migration and Development, *Human capital development and labor mobility: Maximizing opportunities and minimizing risks*, Background paper for Roundtable 1, (GFMD, 2007). [http://www.migrationpolicy.org/research/MPI-GlobalForum\\_circularmigration.pdf](http://www.migrationpolicy.org/research/MPI-GlobalForum_circularmigration.pdf).

<sup>7</sup> D Agunias and N., K., 'Circular Migration and Development: Trends, Policy Routes, and Ways Forward' [Electronic Version], *Migration Policy Institute* (2007), Retrieved April 5, 2009.

<sup>8</sup> M. Abella, 'Policies and Best Practices for Management of Temporary Migration', International Symposium on International Migration and Development, UN Population Division, Turin, Italy, 28-30 June (2006).

of professionals as well as supporting different kinds of transnational networks for making use of diasporas and their knowledge acquired abroad. Some of these policies are planned unilaterally at a national level, but most commonly and also with the most success such policies require bi- or multilevel engagement from various levels.

### **3. The position of countries of destination and countries of origin**

#### **3.1 Countries of destination**

As evidenced from current debates on immigration, most receiving countries regard permanent migration of low-skilled workers as undesirable. Therefore, return and circular migration programmes designed by host countries focus mainly on this category of migrants. Contrary to perspectives on low-skilled migrants, most high-income countries encourage immigration and often, also settlement of highly-skilled migrants. During the last decades, several countries have introduced new measures, in addition to temporary schemes, to admit highly-skilled migrants on a permanent basis. The Canadian Federal Skilled Worker Programme, for example, allows skilled workers to apply for permanent residency without prior experience in Canada when they satisfy a set of criteria. Likewise, the Australian point system also awards highly skilled migrants that achieve a sufficient number of points an automatic permanent residence permit. On a global scale, much attention is given to the American H-1B visas that offer highly skilled migrants to come work in the United States for a renewable period of three years. The original goal of the programme was that the skilled migrants would return back to their home countries after the expiration of the visa. However, constraints were later loosened in favour of permanent migration, with almost half of H-1B visa holders adjusting to a permanent status.<sup>9</sup> As for European countries, migration of highly-skilled migrants is in essence envisaged as temporary. For example, the French new immigration and integration law, passed in 2006 allows for granting the ‘skills and talent’ visas to highly-skilled foreigners upon the requirement that they will return to their home country within six years. Several governments attempt to enforce return by giving only temporary options for migration bearing in mind that the longer migrants stay in a host country, the less likely they are to return. There are options for most cases, however, to adjust the temporary residence status to a permanent residence after a number of years residing in a country, but the requirements for such a permit are very demanding. In Sweden and Germany, it is now possible for the highly-skilled migrants to obtain a permanent residence status from the outset, but this option is limited only for a minor group of people that can meet the highly demanding requirements.

These examples point to tensions in many developed countries between the national policies which aim, on the one hand, at attracting high skilled labour and, on the other hand, are concerned about the poaching of talent from developing countries. These concerns put pressure on policies which stimulate development and prevent brain drain at least in sensitive sectors, such as health and education. From the developmental

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<sup>9</sup> K.Newland *et al*, *Learning by Doing: Experiences of Circular Migration*, (Migration Policy Institute, 2008).

perspective, it is debatable whether destination countries which aim for positive impacts of migration should include the possibility of permanent settlement for some migrants. Newland and Agunias<sup>10</sup> claim that migrants who are permanently and successfully settled in their host country have the best capacity to contribute to development in the country of origin. This view is confirmed by the often-cited example of California's Silicon Valley and the contribution of its entrepreneurs of Chinese, Indian and Taiwanese descent to their countries of origin. Immigrant entrepreneurs rely heavily on ethnic resources from their home countries and in many ways facilitate trade and investments back there. For their transnational activities, many of them regularly travel back and forth without any concern for their position in the host country. Well-established high-income migrants are more likely to visit their countries of origin to set up businesses, monitor their subsidiaries or engage in any other way when they have a secure residency status in destination countries. Following such reasoning, destination countries can support circular migration not only by temporary migration programmes, but the governments should also enable possibilities for longer if not permanent stays. In that way they can acquire valuable experiences and accumulate more capital for investments in their home countries. Though allowing highly-skilled migrants to stay for a longer period of stay is, in most cases, meant for the purpose of attracting them and then continuing to benefit from them economically over a longer period of stay, this also has a positive side-effect of enabling migrants to accumulate enough capital and knowledge while abroad so that their eventual return to their home country can have positive effects for development. It is important to note that it is not just any kind of return back to their home countries that leads to multiple-win scenarios. Enabling migrants to prolong their residence permits in order to establish themselves better in a host country is one of the crucial conditions for successful economic reintegration upon return or temporary visit in their home countries. In addition to that, policies which prevent or make it difficult for migrants to extend their permits for a longer period, also make it unattractive for immigration in the first place. One of the main criticisms of the German Green Card directive was that it allowed highly-skilled migrants from non-EU countries to stay in Germany for up to only five years. Especially in the times of international competition for skilled workers, it is hardly feasible for the continental European countries, such as Germany or France, which are barely competitive in this race compared to the traditional immigration countries, to attempt to prevent their settlement by strict regulations on a period of stay.

Next to permitting longer stays, the receiving-countries' governments also have the capacity to promote beneficial return or circular migration by permitting movement of migrants back and forth to their country of origin. Migrants should not be punished with a worse position for acquiring a residence permit in their host country if they return to home countries for a certain period. Migrants who are applying for permanent residency in the United States are not allowed to leave the country without seeking special permission.<sup>11</sup> That is currently the case also in the Netherlands, where migrants who have

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<sup>10</sup> D. Agunias and K. Newland, 'Circular Migration and Development: Trends, Policy Routes, and Ways Forward' [Electronic Version]. *Migration Policy Institute* (2007), Retrieved April 5, 2009.

<sup>11</sup> D. Agunias and K. Newland, 'Circular Migration and Development: Trends, Policy Routes, and Ways Forward' [Electronic Version]. *Migration Policy Institute* (2007), Retrieved April 5, 2009.

stayed out of the country for a year lose the rights they have acquired earlier for acquiring permanent residence. The situation is different for those migrants that came to the Netherlands as knowledge migrants. If they receive a permanent employment contract, they obtain a residence permit for five years, which enables them to apply for a long-term residence permit upon complying with material conditions and integration requirements.<sup>12</sup> The situation with regard to the allowed absence from receiving country's territory has improved with the adoption of the EU Blue Card Directive. It permits the EU Blue Card holders to return to home countries for a consecutive period of up to one year and not more than 18 months in total during the required five years of residence without affecting the rights they have acquired previously for acquiring the EC long-term resident status.<sup>13</sup>

Allowing for dual citizenships is another way for enabling migrants to be engaged in both countries. Dual citizenships are supported on the grounds of the already mentioned examples of migrants which are intensively involved in their origin countries and their new countries of settlement because of their well-settled position. While the interests of origin countries in maintaining the link with their diaspora are clear, dual citizenships are often perceived as a controversial matter for the receiving countries, fearing that it leads to thin citizenships and split loyalties.<sup>14</sup> Such concerns are not raised with respect to dual citizenships among the developed countries, but are seen as more problematic when one of the citizenships is from a developing country. Nevertheless, there is a 'tendency toward more liberal tolerance of multiple nationality' and even the countries that are in principle against dual nationality, such as Germany, have 'largely facilitated the retention of a previous nationality...'.<sup>15</sup> This is quite the opposite in the Netherlands, which has, in 2003, restricted the number of exceptions to the renunciation requirement of their former nationality and in this way made it more difficult for new citizens to be involved in their countries of origin since they, together with their citizenship, lose many rights which enable more intensive involvement.<sup>16</sup>

A further policy option which encourages circularity of highly-skilled people is preferential treatment towards people who have an earlier in-country experience. In-country work experience adds additional points in the point systems of Canada, Australia, New Zealand and the United Kingdom. Also people who have completed their studies in one of the countries' universities are treated preferentially in the point systems of the

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<sup>12</sup> (Artikel 3.59a Aliens Decree (*Vreemdelingenbesluit* 2000)) not sure where this is in the references??

<sup>13</sup> Article 16 (3) of Directive 2009/50/EC

<sup>14</sup> C. Calhoun, *Nationalism*, (Open University Press, 1997)

P. Spiro, 'Dual nationality and the Meaning of Citizenship', 46 *Emory Law Journal* (1997), 1411-1485.

H. Waldrauch, 'Rights of Expatriates, Multiple Citizens and Restricted Citizenship for Certain Nationals', in R. Bauböck *et al* (eds.), *Acquisition and Loss of Nationality. Policies and Trends in 15 European Countries. Volume 1: Comparative Analyses*, (Amsterdam University Press, 2006), 359-379.

<sup>15</sup> K. Hailbronner, 'Nationality in Public International Law and European Law' in R. Bauböck, *et al* (eds.), *Acquisition and Loss of Nationality, Policies and Trends in 15 European Countries. Volume 1: Comparative Analyses*, (Amsterdam University Press, 2006), 82-83.

<sup>16</sup> B. De Hart and R. van Oers, 'European Trend in Nationality Law', in R. Bauböck, E. Ersboll, K. Groenendijk & H. Waldrauch (Eds.) *Acquisition and Loss of Nationality. Policies and Trends in 15 European Countries. Volume 1: Comparative Analyses*, (Amsterdam University Press, 2006), 337.



named countries. Continuing with examples from the Netherlands, a person who has completed a master's degree or a doctorate from a Dutch university can, within three years after graduation, obtain a one-year residence permit and look for employment in the Netherlands without a prior job-offer.<sup>17</sup> Giving preferential treatment to people with an in-country experience has positive implications for the receiving country in terms of accepting labour force which is to a certain extent accustomed to and is familiar with the situation in the country. Acquisition of country-specific human capital is another important reason for internationally mobile labour force to choose the same destination country for successive migration. In addition to preferential access to work permits, Wiesbrock and Schneider mention temporary labour market access on a renewable basis as another option for multiple re-entries to a receiving country, which can also have a role in encouraging migrants to return.<sup>18</sup> Acknowledging receiving country's policy when one can spend a certain period of time in a home country (or any third country) and still have easier access to immigrate at a later stage, gives migrants greater freedom to choose where and when they want to live and work. Returning to their home countries is not treated as a one-time move, where any consecutive move would be equally difficult as the first time migration to that country. On the contrary, such a policy gives one an advantageous position for the future possibilities in life and can be involved in activities in a home country without a fear of completely losing those privileges in the destination country. Such fears have often made migrants reluctant to return to their home countries.

Another policy used by receiving countries, meant to encourage return to the home countries is the taxation of foreign workers. Some countries implement schemes with compliance bonds for both employers and workers which may include that part of the salary of a worker is withheld and deposited on a savings account which is accessible only in a country of origin. Such compulsory savings are usually used for healthcare workers as the impact of their emigration is considered especially sensitive for many developing countries. Although this policy tries to build incentives for return, it does not change the situation in the home country, which was in many cases a reason for emigration in the first place. A policy of savings accessible upon return has an advantage compared to some other programs aiming for the same objective by allowing migrants to stay in a receiving country if they wish to do so. Compared to the ethical codes of practice in recruitment of healthcare workers, as exercised in the UK, which is criticized for restricting the freedom of movement of health professionals from certain countries,<sup>19</sup> the mentioned policy allows for continued migration, though under less favorable conditions for an individual. On the positive end, forced accumulating savings can help migrants to ease their reintegration in the sending country.

An important way for the host countries to make an option of return more attractive is also to enable transferability of social security benefits. Especially migrants, who have

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<sup>17</sup> Admission Scheme for Highly Educated Migrants (Besluit van de Staatssecretaris van Justitie van 12 december 2008, 2008/30).

<sup>18</sup> A. Wiesbrock and H. Schneider, 'Circular Migration and Mobility Partnership', Briefing paper for the DG Internal Policies, Policy Department, Citizens Rights and Constitutional Affairs, Brussels: European Parliament, (2009).

<sup>19</sup> M. Rowson, 'The Brain Drain: Can it be Stopped?' Health Exchange, (August: 21-3, 2004).

contributed to the social security system for a longer period and with large amounts because of their high incomes, should be able to claim their contributions in the case of return to their home countries. The European Commission has emphasized this point in its communication to the Member States. The contributions should be paid to a migrant after the return in a form of a pension or as a lump sum payment.<sup>20</sup> More than encouraging return, this policy is meant for removing the disincentives for return because this lack of portability may hinder the circulation of permanent resident and second-generation immigrants.<sup>21</sup>

Given the fact that some people will not return to their home countries permanently despite any kind of incentivizing policies, there are also policies in place which facilitate diaspora connections. Though it is the sending countries that are more engaged in setting up networks and databases of expatriate professionals, receiving countries can also facilitate this process and encourage international cooperation of institutions. An example of such an initiative is the Diaspora Networks Alliance, launched by the US government with the purpose of engaging diaspora in promoting growth in the countries of origin.<sup>22</sup>

All things considered, it can be observed that there are several ways for the destination countries to influence the return and circularity of movements. Destination country governments have some programmes, specifically designed for that purpose, while there are other policies which do not necessarily have this effect as their prime objective but nevertheless encourage circulation in its positive way. Newland et al. claim that destination countries have a better effect on promoting circularity when they remove the obstacles rather than when they try to direct particular flows.<sup>23</sup> When return migration happens on a forced basis or because of the lack of options, it might not lead to the desired outcomes.

### **3.2 Countries of origin**

Countries of origin are also increasingly exploring schemes where human capital of expatriates can be used for the benefit of the home country's socioeconomic development. While the destination countries focus their programmes on circularity for the low-skilled, the countries of origin work mainly on luring back the well-financed and the highly-skilled migrants as they can benefit their home countries in terms of financial capital, transfer of knowledge and working as a link to the professional environments abroad.

Traditional policy measures aim at ensuring return by obliging an individual to return to the home country. Colombia's COLFUTURO is an example of such a programme, which gives students a scholarship credit to pursue graduate studies abroad but requires them to return back to Columbia in order to qualify for a 50% waiver of the loan otherwise they

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<sup>20</sup> EC Communication, *Migration and Development: Some concrete orientations*, COM, 390 final, of 1 September (2005).

<sup>21</sup> D. Agunias and K. Newland, 'Circular Migration and Development: Trends, Policy Routes, and Ways Forward' [Electronic Version], *Migration Policy Institute*, (2007), Retrieved April 5, 2009.

<sup>22</sup> ([http://www.usaid.gov/our\\_work/global\\_partnerships/gda/remittances.html](http://www.usaid.gov/our_work/global_partnerships/gda/remittances.html)).

<sup>23</sup> Newland et al., *Migration Policy Institute*, (2008) K. Newland et al, *Learning by Doing: Experiences of Circular Migration*, (Migration Policy Institute, 2008).

have to fully repay the debt.<sup>24</sup> Some other country programmes are less strict in their obligations for recipients of scholarships and require from them to work in a home country for shorter periods of time. An example of such a programme is Slovenia's Ad futura programme for studies abroad for Slovenian citizens, which requires recipients to work in the home country for the equivalent period of time they have been receiving the scholarship.<sup>25</sup>

More common are policies which do not oblige return, but instead institute measures which facilitate return of skilled nationals. Some measures aim directly at attracting migrants to return by offering financial as well as non-financial incentives. Economic support to employers and to returnees in a form of salary top-ups or temporal tax-exemptions is put in place in order to compensate for the loss of incomes incurred due to return from a higher-income country. For instance, Mexico's *Consejo Nacional de Ciencia y Tecnologia (CONACYT)* offers grants to universities and benefits for the researcher to provide incentives to repatriate researchers who reside abroad.<sup>26</sup> Agunias gives more examples of such incentives in a form of subsidized mortgages, organized exchanges for professionals from abroad in order to maintain active contact and duty-free purchases.<sup>27</sup>

It is not only income differences between home and host countries that should be addressed to induce skilled individuals to return. Administrative burdens upon return can also work as a repelling factor to consider return a viable option. Such hindrances can make it very difficult for migrants to transfer social capital accumulated in a receiving country.<sup>28</sup> Skills and experiences from a receiving country are often not recognized and are difficult to transfer into their positions in a home country. In order to facilitate the positive return migration, *Haour-Knipe and Davies* propose the development of human resource policies which would accommodate temporary or permanent return.<sup>29</sup> They write specifically about return migration of nurses working abroad, but proposed measures apply for return of people in other professions as well. Human resource policies should ensure that time spent abroad with all acquired professional accomplishments count for determining salaries and positions upon return to a home country. The IOM has highlighted similar difficulties of facilitating return for African professionals who work abroad. They mention problems of cumbersome recruitment processes which lead to prolonged job search and an apparent lack of trust in African governments among the

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<sup>24</sup> D. F. Angel-Urdinola *et al*, 'Student Migration to the United States and Brain Circulation Issues, Empirical Results, and Programmes in Latin America', in A. Solimano (ed.), *The International Mobility of Talent: Types, Causes and Development Impacts*, (Oxford University Press, 2008).

<sup>25</sup> ([www.ad-futura.si](http://www.ad-futura.si))

<sup>26</sup> D. F. Angel-Urdinola *et al*, 'Student Migration to the United States and Brain Circulation Issues, Empirical Results, and Programmes in Latin America', in A. Solimano (ed.), *The International Mobility of Talent: Types, Causes and Development Impacts*, (Oxford University Press, 2008).

<sup>27</sup> D. Agunias, 'Linking Temporary Worker Schemes with Development [Electronic Version]. *Migration Policy Institute*, (2007). Retrieved April 5, 2009.

<sup>28</sup> K. M. Ray *et al*, 'International Health Worker Mobility: Causes, Consequences, and Best Practices', 44 *International Migration* 2, (2006), 181-203.

<sup>29</sup> M. Haour-Knipe and A. Davies, *Return Migration of Nurses*, (ICNM 2008). Retrieved from <http://www.intlnursemigration.org/assets/pdfs/return%20migration%20ltr.pdf>.

expatriates.<sup>30</sup> Similarly, Italian migrants are very doubtful about the Italy's programme financed by the Italian Ministry of Education, University and Research to attract researchers back to Italy. The main reasons for negative responses were short-term appointments and the system's lack of transparency.<sup>31</sup>

This points to another issue pertinent to return migration. Any kind of policy focusing on return is difficult to manage when the working conditions in a home country have not changed. As repatriation programmes often do not tackle the conditions that initially led to emigration, countries need to consider a broader set of policies which create an environment where the skilled are encouraged to return. When describing policies of return migration for researchers and scientists, Thorn and Holm-Nielsen distinguish between individual-based approaches and policies which target the environment for research.<sup>32</sup> In contrast to aiming at return migration on an individual-by-individual basis, the latter approaches focus on medium- to long-term solutions with the intention of stimulating return by improving the general institutional problems. Indicative of the need to improve social and economic factors in sending countries are results from the study on potential returnees to four Asian countries (Bangladesh, China, Taiwan and Vietnam) which show that skilled migrants for the most part start returning only after significant changes have occurred. The study highlights the need to improve the overall infrastructure within the country, including basic services such as health and education. The authors conclude that individual returnees usually do not drive social change but respond to it instead.<sup>33</sup> Stated in a different way, the ILO report on migrant workers summarizes that 'migration can contribute positively to development where a country is already poised to develop; it cannot, however, create such a condition'.<sup>34</sup>

There are many ways in which governments can encourage return migration by improving the general environment. Some of the suggested policy measures by Thorn and Holm-Nielsen include strengthening national innovation systems, offering competitive funding for research projects, rewarding merit instead of seniority, creating centers of excellence, strengthening public-private partnership and the quality of tertiary education which would lure the expatriate professionals back home.<sup>35</sup>

'Virtual' return is also used as one of the innovative approaches where migrants can benefit their home countries while remaining abroad. There are a large number of

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<sup>30</sup> S. Bach, 'International Mobility of Health Professionals: Brain Drain or Brain Exchange?', in A. Solimano (ed.), *The International Mobility of Talent: Types, Causes, and Development Impact*. (Oxford University Press, 2008)

<sup>31</sup> S. Morano Foadi, 'Key Issues and Causes of the Italian Brain Drain', 19 *Innovation: The European Journal of Social Science Research*, 2 (2006), 209-223.

<sup>32</sup> K. Thorn, L. B. Holm-Nielsen, 2008 'International Mobility of Researchers and Scientists: Policy Options for Turning a Drain into a Gain', in A. Solimano (ed.), *The International mobility of Talent: Types, Causes and Development Impacts*, (Oxford University Press, 2008).

<sup>33</sup> R.R. Iredale et al, *Return migration in the Asia Pacific*, (Edward Elgar Publishing, 2003).

<sup>34</sup> International Labour Organization (ILO), *Towards a fair deal for migrant workers in the global economy*, Report VI, International Labour Conference, 92nd Session, (ILO, 2004), 30.

<sup>35</sup> K. Thorn, L. B. Holm-Nielsen, 2008 'International Mobility of Researchers and Scientists: Policy Options for Turning a Drain into a Gain', in A. Solimano (ed.), *The International mobility of Talent: Types, Causes and Development Impacts*, (Oxford University Press, 2008).

knowledge networks linking home countries to the expatriate professionals, which can be utilized for exchange of knowledge. An example of an active and successful diaspora network is the South African Network of Skills Abroad, which was initiated by the University of Cape Town and now managed by the National Research Foundation. Mobilizing nationals living and working abroad to exchange ideas and knowledge within institutionally organized networks gives the country of origin an opportunity to learn from their experiences as well as to access professional networks in which diaspora is active abroad.<sup>36</sup>

The described approaches are complementary to each other. Repatriation programmes and diaspora policies should be used in combination with measures which change social and economic factors which lead to emigration in the first place. For success of any kind of policies aimed at return or circular migration, it is necessary that the conditions in the origin country have improved or are expected to in the near future. Otherwise, any kind of return migration will not benefit any of the involved parties, either the migrant, home country or the destination country. For the reason, any kind of policies encouraging return of migrants, either temporary or permanent, have to bear in mind the importance of the conditions in home countries and make return a viable option. Since many migrants have strong attachment to their home countries, contacts do not have to be created or forced by the involved governments, but rather just facilitated or enabled by removing the obstacles which so often limit the obvious options.

## **4. Bilateral approaches**

Bilateral policy approaches that have the intended or unintended effects of stimulating return or circular migration can be drawn from many different angles. Bilateral approaches are those that are agreed upon between two countries (the sending and the receiving migrant countries). In this section, we outline some of these current policies, explain the positive and negative sides of the policies and give examples of where and how they are practically implemented. This is not meant to be an exhaustive look at every possible bilateral policy approach that stimulates return, but rather to show the broad range of policies that can contribute to return and circular migration. See Table 1 for a more detailed breakdown of agreements.

### **4.1 Possible approaches and examples**

#### **1. Granting of Skill and Talent visas to highly skilled foreigners (with conditions)**

The granting of visas to the highly skilled is an approach that has the benefit of adding conditionalities (usually of return). This way the receiving countries receive the skills and added labor force for a certain number of years but then the migrant is required to return to their country of origin after a state period of time. Thus, transferring skills and knowledge (as well as many resources acquired) back home. A disadvantage of this approach is the abolishment of the automatic right to long-term residency after living in the country for a period of time.

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<sup>36</sup> J.B. Meyer and M. Brown, *Scientific Diasporas: A New Approach to the Brain Drain*, Paper prepared for the World Conference on Science, (UNESCO-ICSU, 1999), 26 June-1 July.

An example of this type of approach is France's New Immigration and Integration Law (passed in 2006) which allows granting 'skills and talent' visas to the highly skilled (from developing countries) under the condition that they agree to return to their country of origin within 6 years or the origin country has signed a co-development agreement. In the case of the Philippines<sup>37</sup>, 20 percent of the immigrant's income must stay with the employer or government and will only be transferred to the immigrant upon return and completion of the contract. The 20 percent of the salary must then be used on an entrepreneurial activity. This clearly raises ethical issues about people being forced to use their money in a specific way.

## **2. Exchange of Young Professionals**

There are certain exchange programs that allow the exchange of young professionals between countries for limited amounts of time to foster international relations between two countries. The limitation of a scheme like this is that there are strictly enforced time limits for such an exchange. France has concluded several of these types of agreements with both developed and developing countries. In their case all exchange periods are between 3 and 18 months. All agreements are negotiated on the basis of reciprocity and annual quotas. For specific country agreements, see Table 1.

## **3. Compulsory savings of foreign workers**

Another approach used is the compulsory savings of foreign workers' income to ensure their return to the home country. The schemes are compulsory for the workers and the employers. The employer must withhold and save in a savings account a certain amount of money (percentage of income) from the immigrant employee that will only be returned upon return. The advantage of this is that it promotes return but at the same time it may keep much needed funds out of the hands of the immigrant. Canada has several of these agreements with other countries (see Table 1).

## **4. Bi-lateral social security (pension) arrangements**

With bilateral social security arrangements, migrants are able to bring their social security entitlements with them back home or to another country. There are many of these agreements, particularly with European Union member states. Sometimes they are concluded at a bilateral level but often a country will give this right to all migrants (i.e. the Netherlands). Table 1 gives details about many agreements the Philippines have concluded with a number of other countries for Pilipino migrants.

## **5. Productive reintegration programs**

Productive return and reintegration programs help migrants to return back to their home countries and have an easier reintegration in the home society. Often migrants have been gone for some time and have had a different socialization process and have a more difficult time when they come back home. Reintegration programs help to smooth this transition. They often include money and training on return, especially for entrepreneurial endeavors. Table 1 describes specific programs implemented but France, Spain and the Netherlands.

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<sup>37</sup> In the case of the Philippines, this type of agreement is made with different migrant receiving countries.

## **6. Twinning Schemes**

Twinning programs are often setup between two countries to transfers skills and knowledge. They usually include training in another country and then returning home. In Table 1, the twinning programs discussed mainly cover the health care sector.

## **7. Guarantee of repeated entry**

Immigration programs or visa's that allow repeated reentry after having working in the country often help to facilitate return or circular migration since the immigrant is not concerned about being able to come back. The policy is in place for temporary workers in Canada.

**Table 1: Bilateral Approaches**

| Approach/Countries involved  | Advantages   | Disadvantages   | Source   |
|--|--|---|--|
| <p><b>1. Granting of Skills and Talent visas to highly skilled foreigners (with conditions)</b></p> <p>France's New Immigration and Integration Law (passed in 2006)</p> <p>Agreement between:</p> <p>Example:<br/>France-Philippines</p> <p>The Philippines is among the Asian countries qualified under the third-category quota policy set by the Attali Commission. Countries in the third category are those with which France has "traditional links".</p> | <p>The new law allows the granting of "skills and talent" visas to highly skilled foreigners. These visas are only offered to workers <i>who agree to return to their home countries within six years</i>. Another criterion is the expectation that the temporary stay will benefit the migrant's country of origin as well.</p> <p>The French government guaranteed that it will only issue this visa to qualified immigrants from a developing country if the sending country has signed a "co-development" agreement or if the immigrants agree to return to their country of origin within six years. Emphasis is put on the "circulation of skills."</p> <p>In the case of the agreement between France and the Philippines, the workers from the Philippines will have to leave 20% of their salary with their employer or government and will only receive these amounts upon return to their country of origin and after completion of their work contract.</p> | <p>According to the General Confederation of Labour (Confédération générale du travail, <a href="#">CGT</a>), one of the most problematic aspects of the bill is the abolishment of the automatic right to a long-term residence permit after living in France for 10 years.</p> <p>In the case of the agreement between the Philippines and France, the criticism lies in the fact that the migrant worker will only receive the payment of 20% of their salary upon the condition that they use the money to create their own enterprise. The conditionality imposes ethical questions as it pre-determines how the salary earned by the worker shall be spent.</p> | <p>Murphy (2006)</p>                                       |
| <p><b>2. Exchange of Young Professionals</b></p>   | <p>The scheme allows young professionals to work in France on a strict temporary basis (3 to 18 months). The agreements serve to establish further lines of</p>  | <p>Strict time periods</p>  | <p>OECD (2004)<br/>Migration for Employment: Bilateral</p> |



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| <p>Example:<br/> France- Morocco<br/> France- Switzerland<br/> France-Turkey<br/> France-Argentina<br/> France-Hungary<br/> France-Senegal<br/> France- Poland<br/> France- Canada<br/> France-New Zealand<br/> France- Haiti (currently agreement not in operation)<br/> France- United States<br/> France – United States OMI-AIPT</p> | <p>cooperation with other countries, both developed and developing countries. With some of the countries the agreement is established with the aim of cooperating with the process of economic restructuring (Hungary, Poland) or with supporting countries which are seeking occupational and professional training schemes (Argentina, Morocco, Senegal).</p> <p>Agreements negotiated on the basis of reciprocity and annual quotas.</p> |   | <p>Agreements at a Crossroads. OECD Publishing</p>  |
| <p><b>Annual Exchange of Trainees</b></p> <p>Agreement between Romania and the Swiss Federal Council (Nov. 1999)</p>   | <p>Scheme consists of the annual exchange of 150 trainees for a period of 12 months, with a possible six month extension. Trainees must be paid in line with Swiss payment standards and receive social welfare protection while in Switzerland.</p>  | <p>Critics have argued that when the agreements are made and signed, there is little attention to the estimated number of migrants already in the country, the employment rate and type of skills of the migrants, the jobs and skills required in the receiving country, and the labour supply and skills profile of Romanian workers applying for the exchange.</p> | <p>OECD (2004) Migration for Employment: Bilateral Agreements at a Crossroads. OECD Publishing.</p> |
| <p><b>3. Compulsory savings of foreign workers</b></p>   | <p>Schemes which implement compliance bonds for both employers and workers which may involve withholding part of the wages of foreign worker and depositing it in an interest bearing</p>   |   |   |

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| <p>Agreement between:<br/>Canada- Guatemala,<br/>Caribbean Islands<br/>Greece, Italy, Malaysia, Spain and<br/>Taiwan Province of China, United<br/>States and the United Kingdom</p>  | <p>savings account only accessible by the<br/>worker once in the country of origin.<br/>This implies sending back funds or<br/>compulsory savings (25%) which can<br/>only be collected upon return</p>  |  |   |
| <p><b>4. Bi-lateral social security<br/>(pension) arrangements-</b></p>   | <p>Key features:</p> <ul style="list-style-type: none"> <li>- Mutual assistance</li> <li>- Equality of treatment</li> <li>- Export of social security benefits:</li> <li>- Pro-rated payment of benefits: both<br/>the host country and the Philippines<br/>shall pay the share of the benefit due<br/>from their respective systems.</li> </ul> | <p>Such policies have had<br/>limited effect (so far) on<br/>return migration because<br/>they were introduced only<br/>recently. There is still the<br/>issue of other push factors in<br/>the home country that will<br/>deter return.</p>   | <p>OECD (2004)<br/>Migration for<br/>Employment:<br/>Bilateral<br/>Agreements at a<br/>Crossroads. OECD<br/>Publishing.</p> |
| <p>Examples:<br/>India-Belgium<br/>Most EU countries-other countries</p> <ul style="list-style-type: none"> <li>-Convention between the Republic<br/>of the Philippines and the Republic<br/>of Austria in the field of Social<br/>Security (1980, amended 1982 and<br/>2000)</li> <li>- Convention on Social Security<br/>between the Republic of the<br/>Philippines and the Kingdom of<br/>Belgium (2001)</li> <li>- Agreement on Social Security<br/>between the Republic of the<br/>Philippines and the Swiss<br/>Confederation (2001)</li> <li>- Agreement on Social Security<br/>between the Republic of the<br/>Philippines and Canada (1999)</li> <li>-Understanding on Social Security<br/>between the Republic of the<br/>Philippines and the Province of</li> </ul> | <p>Transfer of migrant workers social<br/>security payments to their countries of<br/>origin is an important financial return<br/>incentive. It involves the capitalization<br/>of social security funds.</p>  | <p>In the Pilipino case, security<br/>agreements are with the<br/>countries where large<br/>numbers of overseas Filipino<br/>workers can be found (Saudi<br/>Arabia and Japan) have been<br/>unsuccessful or are pending.<br/>Similar agreements with the<br/>country's ASEAN partners<br/>(like Singapore, Malaysia and<br/>Brunei) have not been<br/>successful.</p> |   |

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| <p>Quebec (2000)<br/> - Social Security Convention between the Philippines and France(1990)<br/> - Convention on Social Security between the United Kingdom of Great Britain and Northern Ireland and the Philippines (1985)<br/> -Agreement between the Republic of the Philippines and the Netherlands on Export of Social Insurance Benefits (2001)<br/> -Convention on Social Security between the Philippines and Spain (1988)</p> |  |   |   |
| <p><b>5. Productive reintegration programs</b></p>  | <p>The programs enable productive re-integration by providing various loan and assistance schemes for regularized and non regularized migrants from Senegal, Mali and Romania who intend to start a business in their home country.</p> <p>Localized co-development projects are</p> | <p>The success is closely linked to the coordination between NGOs, migrant organizations and the government institutions which are responsible for the provision of financial assistance.</p> <p>Critics see it as no more than</p> | <p>(Kapur and McHale, 2005)<br/><br/> (Commission for the European Communities, 2007)<br/><br/> (IOM, 2008)</p> |

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| <p><b>French return programs/Productive reintegration</b></p> <p>Agreement with:<br/>France –Senegal<br/>France- Mali<br/>France- Romania<br/>France-the Comoros</p> <p>France-Morocco:<br/>Co-development Program in Morocco (2001/HLWG/117)</p>                                | <p>more likely to have success in achieving more sustainable local infrastructure and entrepreneurial activities in the country of origin. The program of co-development is argued to link cooperation in managing migration with enhanced development aid while also engaging the Diaspora communities in France.</p>             | <p>forced removals and question the safety of those who return. Though it may seem like a friendly policy, it is not conceived as a development project.</p> <p>Different country policies lead to mixed results.</p> <p>Difficult to establish with accuracy the success or failure of such programs.</p> <p>Factors affecting sustainability of return are largely beyond the control of destination countries and have much more to do with country of origin policies.</p> |  |
| <p><b>Spanish Return Programs/Productive Reintegration</b></p> <p>Agreement between:<br/>Spain-Colombia:<br/>Temporary and circular labour migration (TCLM) between Colombia and Spain: a model for consolidation and replication (2006/120-237)<br/>Spain-Ecuador, Columbia</p> | <p>Agreement facilitates the voluntary return of temporary migrants through training and recognition of skills acquired in Spain, as well as through the creation of small and medium sized bi-national enterprises and the transfer of technology. Has been used as an attempt to off-set the negative effects of brain drain</p> |  | <p>(Kapur and McHale, 2005)</p> <p>(Commission for the European Communities, 2007)</p> |
| <p><b>Dutch Return Programs/Productive Reintegration</b></p>   | <p>Agreements provided for development related migrant returns</p>   | <p>High costs are involved and the results are not easily observable</p>   | <p>(Kapur and McHale, 2005)</p>  |

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| <p>Agreements between the Netherlands and –Morocco, Tunisia, Yugoslavia and Turkey</p>                               |  |  | <p>(IOM, 2008)</p> |
| <p><b>Twining Scheme</b></p> <p>Agreement between:</p> <p>Belgium-Congo</p> <p>Egypt- UK</p> <p>Canada-Caribbean</p> | <p>The scheme involves bi-national healthcare workers and facilitates transfer of expertise and technology. The scheme consists of partnerships between hospitals in Belgium and the Democratic Republic of Congo and facilitates the training of Congolese staff in the health sector. Partnerships are also supported by the IOM.</p> <p>In Egypt, the UK Department of Health established a program to improve medical services for geriatric care, pathology and mental health and established a fellowship program for Egyptian doctors to come to the UK for additional experience</p> <p>Health Canada projects in the Caribbean set up independently of migration concerns, and as part of technical cooperation with PAHO/WHO. The projects include the exchange of expertise and foster connections between Canadian and foreign educational establishments; for example, collaboration between the universities of Ottawa and the West Indies has led to the establishment of a nurses' training curriculum in Canada</p> |  | <p>(IOM, 2008)</p> |

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| <p><b>7. Guarantee of Repeated Entry</b></p> <p>Canada's temporary worker program with Mexico</p> | <p>Allowing temporary access to the labor market on a renewable basis. Despite the fact that short term contracts are in place, migrants do not have the fear that by returning to their home country they may lose the opportunity to return for another contract in the host country.</p> |  |  |
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## **5. Regional Approaches**

In this section we discuss regional approaches that may enhance return or circular migration of the highly skilled. Regional approaches are those policies or agreements that are agreed upon by a region (consisting of several countries) instead of agreements between only two countries. Below, we discuss different regional approaches and Table 2 gives more detail on the specific agreements.

### **5.1 Possible approaches and examples**

#### **1. EU Mobility Partnerships**

EU mobility partnerships are agreements made between the European Union and specified third countries to facilitate migration between the countries. This is a multifaceted way to manage migration. This kind of an agreement is helpful because so many countries are involved. At the same time, the partnerships must be ratified by each member state individually and this has proven to be less ideal. To date, few countries have actually acted on the mobility partnerships. Agreements have already been signed between the EU and Moldova and the EU and Cape Verde and the EU and Georgia but few member states have actually taken action with regard to the agreements. It seems that member states still prefer bilateral agreements since they give more sovereignty with regard to migration policy. Effectively EU mobility partnerships are more like bilateral agreements at the moment.

#### **2. Caribbean Single Market and Economy Agreement of the Caribbean Community (CARICOM)**

Part of this agreement allows people with a bachelor's or higher degree to move freely among member countries. The Community has also formulated a scheme to encourage skilled professionals to work overseas on a rotational basis. The Caribbean agreement includes a compulsory savings scheme, where 25 per cent of the migrants' wages are automatically remitted to the respective governments to assure minimum foreign currency flows.

#### **3. Euro African Partnership for Migration and Development 2006**

The Euro African Partnership for Migration and Development 2006 and 'Regional Centers of Excellence' that are part of this are ways to help attract highly skilled migrants back to African countries. As part of this partnership there is the aim to facilitate the return of students in their countries of origin at the end of their studies abroad although it is not clear how this will be accomplished in practice. The 'Regional Centers of Excellence' are partnerships between European and African Universities. It is hoped that creating these centers will help draw highly skilled migrants back to their countries of origin with productive use of their knowledge.

#### **4. The International Organization for Migration's (IOM) Migration for Development in Africa (MIDA)**



This project makes it possible for African professionals in Europe and North America to return to give short-term assistance and expertise in a number of fields, including health care. The initiative has facilitated the return of health workers and also supported hospital twinning and other diaspora activities in several African countries. Thus far, there seems to be enthusiasm on all sides for the project. It is not yet possible to see the larger effects of the project but an initial pilot evaluation already made recommendations for improvements.

## **5. The Commonwealth Code of Practice for the International Recruitment of Health Workers**

The Commonwealth<sup>38</sup> Code of Practice gives a framework for international recruitment of health workers that has been signed by the Commonwealth countries. The code not only helps to uphold the rights of migrant health workers and seeks fairness and transparency but also can be used to facilitate return. The Code, however, is not a legal document, which gives it only a limited scope. Article 21 in the code specifically deals with return:

*Governments recruiting from other Commonwealth countries should/[may wish to] consider how to reciprocate for the advantages gained by doing so. This could include:*

- *programmes to reciprocate for the recruitment of a country's health workers through the transfer of technology, skills and technical and financial assistance to the country concerned;*
- *training programmes to enable those who return to do so with enriched value*
- *arrangements to facilitate the return of recruitees (subject to application of the non-discrimination principle and to the rights of the workers concerned in accordance with immigration and other laws).<sup>39</sup>*

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<sup>38</sup> The **Commonwealth of Nations**, or **Commonwealth** as it is often referred to, is an intergovernmental organisation of fifty-four independent member states, all but two of which were formerly part of the British Empire.

<sup>39</sup> The Commonwealth Code of Practice for the International Recruitment of Health Workers (2003). [http://www.thecommonwealth.org/shared\\_asp\\_files/uploadedfiles/%7B7BDD970B-53AE-441D-81DB-1B64C37E992A%7D\\_CommonwealthCodeofPractice.pdf](http://www.thecommonwealth.org/shared_asp_files/uploadedfiles/%7B7BDD970B-53AE-441D-81DB-1B64C37E992A%7D_CommonwealthCodeofPractice.pdf)

**Table 2: Regional Approaches**

| <b>Approach/Countries Involved</b>   | <b>Advantages</b>  | <b>Disadvantages</b>  | <b>Sources</b>   |
|--|--|---|--|
| <p><b>1. EU Mobility Partnerships</b></p> <p>(Proposed by the Directorate General of Justice and Home Affairs)-</p> <p>Countries involved in the Partnership:</p> <p>EU Mobility Partnership with Moldova and Cape Verde</p> <p>EU is considering to establish new partnerships with Senegal and Georgia</p> | <p>Better than older single purpose migration agreements. Puts many facets into the same agreement (diversified risk mitigation strategies and mechanisms to make partners benefit from the potential of migration) (World Trade Institute, 2008). Partnerships provide multifunctional approach towards migration management which is based on an approach whereby governments join forces with international organization and non state actors active in the field of migration (World Trade Institute, 2008).</p> | <p>Although the partnership agreements are designed to be Multilateral, the reality is that they are not binding agreements and the enforcement appears mainly driven by its bilateral nature with a relative small number of member state countries engaging in the agreements. Moreover, the developmental dimension of the partnerships may conflict with the competition to attract the best and the brightest.</p> <p>The legal basis for such partnerships is blurry since competences are split between the different member state national levels and the EU.</p> <p>Member states appear to prefer bilateral agreements and even these are very limited and operate independently of the EU.</p> | <p>(World Trade Institute, 2008).</p> <p>(Commission to the European Communities, 2007)</p> <p>(Collett, 2007)</p> |
| <p><b>2. Caribbean Single Market and Economy Agreement of the Caribbean Community (CARICOM)</b></p>  | <p>Allows persons with a bachelor's or higher degree to move freely among member countries. In addition, there is a push to extend freedom of movement rights to all CARICOM nationals.</p> <p>The Community has also devised a scheme to encourage skilled professionals to work overseas on a rotational basis, going for three years or so and then returning in order to limit the effects of a loss of skilled</p>  |   | <p>(Kapur and McHale, 2005)</p> <p>(IOM, 2008)</p> <p>(Stilwell et al, 2004)</p>                                   |

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|   | <p>labor on Caribbean Communities</p> <p>The Caribbean agreement includes a compulsory savings scheme, where 25 per cent of the migrants' wages are automatically remitted to the respective governments to assure minimum foreign currency earnings. A five to eight per cent share of the remittances is retained by governments to cover administrative costs, and the rest placed in migrant accounts at the end of the season. In a 2002 survey this was welcomed by most Caribbean migrants (as disciplining their savings habits) (IOM, 2008)</p>  |  |   |
| <p><b>3. Euro African Partnership for Migration and Development 2006</b></p> <p>Ministers of Foreign Affairs, Ministers responsible for Migration and Development and other representatives from partner countries: Austria, Belgium, Benin, Bulgaria, Burkina Faso, Cameroon, Cap Verde, Central African Republic, Chad, Congo, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Gabon,</p> | <p>Within the proposal for an action plan, the actors involved establish a commitment to the development of knowledge and know-how and of measures aiming to guarantee that sufficient skills are available for the development of African countries. To address the brain drain the partnership aims to define measures to <i>facilitate the return of students in their countries of origin</i> at the end of their studies abroad. In addition, the partnership aims to put in place an incentives policy for the return of African students to be allied with a seduction policy of European and African universities through the creation of '<b>Regional Centers of Excellence</b>' in the South.</p> |  | <p>(Rabat Declaration, 2006)</p> <p>For more information concerning action on the crisis in human Resources for healthcare in developing countries: (Commission of the European Communities, 2005a)</p> |

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| <p>Gambia, Germany, Ghana, Greece, Guinea-Bissau, Guinea, Guinea Equatorial, Hungary, Iceland, Ireland, Italy, Ivory Coast, Latvia, Liberia, Libya, Lithuania, Luxemburg, Mali, Malta, Mauritania, Netherlands, Niger, Nigeria, Norway, Poland, Portugal, Republic of Congo, Romania, Senegal, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Switzerland, Togo, Tunisia, and the United Kingdom and the European Commission</p> |   |   | <p>(Commission of the European Communities, 2005b)</p> <p>(Collett, 2007)</p>                                    |
| <p><b>4. The International Organization for Migration's (IOM) Migration for Development in Africa (MIDA)</b></p>   | <p>Initiative makes it possible for African professionals in Europe and North America to return to give short-term assistance and expertise in a number of fields, including health care.</p> <p>The initiative has facilitated the return of health workers and also supported hospital twinning and other diaspora activities in several African countries.</p> | <p>The evaluation of this pilot project (Long and Mensah, 2007) pulls out many lessons to be learned. Just one example is to proactively try to match volunteers with national human resource needs. In this instance, psychiatrists predominated amongst the volunteer physicians, whereas the most acute shortages among Ghanaian health professionals were in obstetrics and gynecology.</p> | <p>Haour-Knipe and Davies (2008)</p> <p>(Commission of the European Communities, 2005b)</p> <p>(UNFPA, 2005)</p> |

|  |   |  |   |
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|  | <p>Returnees contribute directly and indirectly by also serve as mediators. Diaspora-host relationships have been positive. Several were willing to volunteer unpaid leave time — and even to take extended leave — as well as to contribute supplies, materials and equipment to colleagues in their home country. Several also wished to involve their children in activities contributing to the development of their country of origin.</p> | <p>The numbers of participants in this pilot project are still small, so it is difficult to measure the impact of the activities of the returned health workers.</p> |   |
| <p><b>5. Commonwealth code of practice for the recruitment of health workers</b></p> | <p>The Code applies to many countries and tries to always keep a developmental perspective. It facilitates the exchange of knowledge, enables return and helps to promote fairness in recruitment and employment.</p>   | <p>The code is not binding and not a legal document so the scope of enforcement is limited</p>   | <p>Commonwealth code of practice for the recruitment of health workers (2003), downloadable at: <a href="http://www.thecommonwealth.org/shared_asp_files/uploadedfiles/%7B7BDD970B-53AE-441D-81DB-1B64C37E992A%7D_CommonwealthCodeofPractice.pdf">http://www.thecommonwealth.org/shared_asp_files/uploadedfiles/%7B7BDD970B-53AE-441D-81DB-1B64C37E992A%7D_CommonwealthCodeofPractice.pdf</a></p> |

## **6. Global approaches**

### **6.1 Advantages and disadvantages of global approaches**

The research stemming from this paper found two major global approaches to return migration of the highly skilled: (1) The WTO Symposium on Mode 4 of the General Agreement of Trade in Services (GATS), (2) The Transfer of Knowledge Through Expatriate Nationals (TOKTEN). There are few global approaches since migration is a sensitive topic and it is difficult to gain consensus for many country governments on the issue of migration management.

#### **1. The WTO Symposium on Mode 4 of the General Agreement of Trade in Services (GATS) (Sept. 2008)**

The General Agreement of Trade and Services (which is a framework supported by the World Trade Organization), allows for a freer flow of service workers which also may help to induce return or circular migration due to easy movement. In reality, the section of the GATS dealing with professionals has been little used by developing countries. There is, however, the potential for it to be used extensively for healthcare workers which has caused some concern.

#### **2. The Transfer of Knowledge Through Expatriate Nationals (TOKTEN)**

The TOKEN project assists the return of professionals in migrant diasporas for periods between two weeks and three months. The program is intended to help reverse brain drain in developing countries by using the services of highly qualified national expatriates in transferring recent knowledge, technology and business and management practices to developing countries through national professionals (scientists, engineers, physicians, economists, environmentalists and business executives) and by using technical expertise and policy advice to promote institutional capacity building. Volunteers have facilitated short courses for trainers currently working in the health system in their countries of origin. Some of the advantages of the approach are that the consultants' cultural and linguistic knowledge and their knowledge of the context and constraints operating in their home country help greatly in identifying needs.

**Table 3: Global Approaches**

| <b>Approach</b>  | <b>Advantages</b>   | <b>Disadvantages</b>   | <b>Source</b>   |
|--|---|--|---|
| <p><b>1. WTO Symposium on Mode 4 of the General Agreement of Trade in Services (GATS) (Sept. 2008)</b></p>   | <p>The GATS, a framework supported by the World Trade Organization (WTO), allows for a freer flow of service workers with the goal 'to improve the efficiency and global allocation of labor'</p> <p>Schemes to prevent overstaying.</p>  | <p>It has been suggested that the GATS may constrain sending governments' flexibility in human resource planning in the health sector. In reality, the section of the GATS dealing with professionals has been little used by developing countries, and the World Health Assembly has requested that the director general cooperate with the WTO to address the possible effect of trade agreements on international health workers.</p> | <p>Hamilton and Yau (2004)<br/>(Kapur and McHale, 2005)<br/>(Martin, 2003)<br/>(Wrickramasekara , 2003)<br/>(UNFPA, 2005)<br/>(Stilwell et at, 2004)<br/>(Lowell and Findlay, 2001)</p> |
| <p><b>2. The Transfer of Knowledge Through Expatriate Nationals (TOKTEN)</b></p> <p>Programme of the United Nations Development Programme (UNDP)<br/>China, India, Iran, Lebanon, Mali, Palestine, Pakistan, Rwanda, Sudan and Turkey are among the countries that have utilised TOKTEN consultants for nursing and medical education.</p> | <p>Facilitates the return of professionals in the diaspora for periods ranging from 2 weeks to 3 months. The program (initiated in 1977) is intended to help reverse brain drain in developing countries by using the services of highly qualified national expatriates. Volunteers have facilitated short courses for trainers currently working in the health system in their countries of origin. Some of the advantages of the approach are that the consultants' cultural and linguistic abilities and knowledge of the context in their home country help to identify needs</p> |  | <p>Haour-Knipe and Davies (2008)<br/><br/>(Kapur and McHale, 2005)<br/><br/>(Agunias and Newland, 2007)<br/><br/>(Commission of the European Communities, 2005b)</p>                    |

## 7. Concluding remarks

It is clear that policy approaches which directly aim at stimulating return or circular migration of the diaspora come in various forms. At the same time, there are a large number of policies that are not necessarily targeted at the stimulation of return migration but still manage to give incentives to do so. There are policies approaches at many different levels (home country, host country, bilateral, regional and global), but bilateral agreements seem to dominate the policy sphere due to the nature of migration management between home and host countries. Many agreements are still quite new and will need time to be evaluated.

It is still important to understand the root causes and incentives to migrate in the first place which still play on the decision to return. ‘Decisions to migrate or return are often not made on the basis of economic calculations only; instead they are complex and multidimensional’.<sup>40</sup>

*Both the literature and the respective perspectives from health professionals abroad suggests that there is a general agreement with regard to the importance of the political, economic and social conditions in the home country which have a direct impact on circulation policies and return migration. If there are persistent doubts with regard to reintegration possibilities, it is unlikely that a health professional would chose to return. The conditions which induced the decision to migration are the main set of grass root issues which need to be addressed in the context of return migration. Political stability and transparency are key aspects which will be taken into account by high skilled migrants when they consider return migration. This therefore highlights the need for sound policy reforms which within a context of political and economic stability.<sup>41</sup>*

This suggests that while key factors are necessary in the country of origin, such as infrastructure, political openness and policy reforms in the general health and educational systems, a mobility-friendly migration policy at both ends is a must for the facilitation of return. Key factors that often act as constraints or obstacles to return migration are not solely in terms of a relatively higher income or financial incentives. At the same time, reintegration in the home country is of serious concern. If an individual does not foresee a smooth integration back into the working or societal system, he or she may feel highly insecure as to opt for return migration.<sup>42</sup>

Policy routes which facilitate individuals to interact according to their transnational tendencies and which stimulate circular migration should be discussed when considering policy agendas. Therefore, more consideration should also be granted to the potential benefits that could result from double citizenship, multi-entry visa, and the transferability of social benefits and pensions.

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<sup>40</sup> T. Davids and M. v. Houte , ‘Remigration, Development and Mized Embeddedness: An Agenda for Qualitative Research?’, 10 *International Journal on Multicultural Societies* 2 (2008), 169-193.

<sup>41</sup> G. Van der Poel and M. Siegel, *Perspectives of Return Migration from African Health Professionals, MGSOG Policy Brief Forthcoming*, (2010).

<sup>42</sup> G. Van der Poel and M. Siegel, *Perspectives of Return Migration from African Health Professionals, MGSOG Policy Brief Forthcoming*, (2010).



In this paper we give an overview of possible approaches and examples of those policies to stimulate the return of highly skilled migrants that are currently being used. Many of the approaches have not been evaluated to see if they are reaching their current goals. Too often, policies are set up without evaluation of the whether they are working or not. It is true that many of the programs will have longer-term effects, which are difficult to measure at this time, but more short-term evaluation surely needs to be done to know if we are headed in the right direction.

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