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MANAGING MIGRATION IN SOUTH AFRICA'S NATIONAL INTEREST

Lessons from international experience

THE ANTI-FOREIGNER violence of May 2008 has been the most dramatic proof yet that South Africa is not managing migration effectively. Beyond this short-term crisis lies a long-term challenge. Democratic South Africa has failed to develop migration management policies and systems appropriate to our needs.

This is due to a failure of political leadership, compounded by bureaucratic incapacity in the face of testing challenges. Few inside or outside government would have predicted ten years ago, when the Refugees Act was passed, or six years ago, when the Immigration Act became law, that by 2008 South Africa would have attracted over 200 000 asylum-seekers. But that is what has happened. We are failing to cope with a multitude of challenges with respect to migration. The government knows this, and is looking for new answers to the pressing problem of how to manage the arrivals and departures across our borders.

Many more skilled people leave our shores than arrive here. Yet, after 1994, the barriers to importing the skilled people we desperately need actually became higher. The 2002 Immigration Act eased this situation to a degree, but it is still far more difficult for skilled people to migrate to South Africa than it should be. Moreover, we make little or no effort to explore the global market for the skills that could make an enormous difference to South Africa's development, growth, and employment prospects.

We have failed to prepare for and manage the growing flows of poor and unskilled migrants from our northern neighbours and other African countries. We have failed to distinguish between those with a good case to remain here by virtue of economic contribution, or on humanitarian grounds, and those who do not. These failures continue to put pressure on housing and social services, and prevent us from recognising and benefiting from the resources and skills that migrants have to offer.

CDE has been engaged in policy research and advocacy on these issues for more than ten years. In late 2008, as part of this ongoing work, we brought together

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Acronyms and abbreviations

AsgiSA	Accelerated and Shared Growth Initiative for South Africa
BEE	black economic empowerment
GDP	gross domestic product
NAFTA	North American Free Trade Agreement
SADC	Southern African Development Community

leading international and South African experts on migration, senior government officials, and business representatives to consider what we could learn from international experience in this field. More specifically, we sought to ascertain how experiences in other countries could help South Africa to create a migration management system that:

- supports economic growth, job creation, and development by making the best possible use of the global and regional markets for migrant skills and energy; and
- does not undermine the country's commitment to human rights.

This report outlines what we learned.

Introductory remarks

Ann Bernstein

Ann Bernstein is executive director of CDE.

SOUTH AFRICANS tend to be inward-looking. We become so focused on our local concerns that we forget that other countries have their own migration issues, and that we could learn something from their experiences. That is what we will try to do today.

Of course, South Africa does have its own peculiarities. In some ways our migration patterns are highly unusual. In many other developing countries, when migrants leave to work in richer places, they send money back home. We don't see that here; in fact, many of the skilled people who emigrate seem to spend a lot of time trying to get their money out of South Africa. Another unusual characteristic of South Africa is that, despite our very high unemployment rate, we attract large numbers of unskilled immigrants.

On the other hand, there are interesting similarities between South Africa and other countries. Like Thailand, we are a relatively prosperous and stable country with a badly governed, increasingly impoverished immediate neighbour. Like Malaysia, we are a complicated ethnic mix, containing skilled minorities who are sometimes prone to thinking that they have better prospects somewhere else.

Like Australia, we need to attract as many skilled immigrants as possible. Australia loses about 70 000 skilled people a year as a result of globalisation. These people are not necessarily emigrating permanently; they are leaving home to explore opportunities in the wider world. Clearly, some of our skilled emigration has more to do with global forces than South Africa's own local situation. We should be exploring this question – too often we assume that every person who leaves is lost forever.

Our guest from the Australian High Commission will tell us more about that country's migration management system, and how it seeks to respond to its skills and labour needs. We also have a speaker from the Indian Consulate who will offer us a much-needed developing country perspective. We don't hear enough from other developing countries about their approaches to migration and migration policy, and far too little is written about their experiences.

Having said that, I am also greatly looking forward

to hearing from our two guests from the United States, Professor Philip Martin and Tamar Jacoby. The United States has attracted almost 20 per cent of the world's 200 million migrants and remains the world's biggest magnet for immigrants. Its southern border with Mexico is strikingly similar to our borders with Zimbabwe and Mozambique.

Americans have the most experience of trying to count immigrants, and the best data about their economic impacts. Americans are extraordinarily successful at integrating immigrants into their society. And they have the most experience of the challenges involved in crafting a national consensus on the tough issues raised by migration.

Phil Martin is a leading international scholar on migration, and advises the United Nations, the American government, and many other developed and developing country governments about their migration policies. Tamar Jacoby comes from the coalface of America's migration politics – few people know as much as she does about how to put together a broad political coalition for influencing migration policy. South Africans have so far struggled to put together such a coalition, so this will be an important input.

CDE used to distinguish between the policy issues raised by economic migration and those raised by refugees fleeing wars or political persecution. We used to say that CDE would focus on economic migration, and leave aside the rather different questions around refugees. Largely because of the crisis in Zimbabwe, and the terrible violence against immigrants in South Africa a few months ago, it is now clear that there is a significant overlap between some refugees and economic migrants to South Africa.

This overlap creates important challenges. We now have to ask ourselves whether South Africa – in our desire to live up to the highest possible global standards – might not have adopted an idealistic approach to refugees that this society at our current stage of development cannot really implement.

Most issues surrounding migration are intractable; there is no easy solution to any of them. As a result, migration will never be perfectly managed. However, South Africa can and must do better than we have over the past few decades.

Global migration trends

Philip Martin

Philip Martin is professor of agricultural and resource economics at the University of California-Davis, and chair of its Comparative Immigration and Integration Program. He advises the United Nations and several developed and developing country governments on migration policy, and has served as an economist for the United States Select Commission on Immigration and Refugee Policy. He has written and edited a number of important books on migration issues, including Controlling Immigration: a Global Perspective (2004).

I WANT to start with four basic messages, and then move to the detail. First, it is vital to bear in mind that migration has been, is, and probably always will be, the exception and not the rule. Most people don't want to move. Even if we define migration very generously, including everyone who happens to be outside his or her country of birth or citizenship for a year or more, only 3 per cent of the world's people are migrants – and that includes refugees. Most people live and die in the country in which they are born. People should not think that migration will get out of control. If everyone has this idea of the 'big hordes' coming, it will be much more difficult to come up with a reasonable and sustainable policy than if one remembers that migration is the exception and not the rule.

Second, if you want to manage migration, you need adequate data. It makes a big difference whether the number of people involved is 300 000 or three million. Third, migration is not a problem you are going to solve, or a disease you will be able to cure. It's a permanent part of the human condition; there will always be a minority of people who will migrate. Migration is a natural process that needs to be managed. If you pass a law to manage it, people will react to that law, and then you have to change something else to aim for 'control.' That means you need a management system that is flexible and capable of adjustment.

Fourth, you need to be clear about what you want to achieve with your migration management system, and then ensure that employer and migrant incentives are aligned with those goals. For instance, if you wanted to make migration temporary, it wouldn't do

much good just to pass a law saying that a migrant is supposed to leave after two years, if that person has invested a great deal in training for a job in the destination country, and if his or her employer has invested in additional on-the-job training.

What makes migrants leave home? We live in a world with different weather patterns, social structures, cultures, demographics and patterns of economic performance. People move to take advantage of these differences – sometimes to find a place that is safer or more culturally comfortable, but mainly in search of economic betterment. This means that the most important factors which prompt international migration, particularly migration from poor to richer countries, are differences in demography and in economics. These differences are growing, resulting in more migrants, and greater movement over time.

In 1975 the average worker made 40 times more in a high-income country than in a developing country. Now this ratio is about 60 to 1. That's all very well, you might say, but what are the chances of an unskilled person from a developing country finding a job in the rich world? And how would he or she get to where these jobs are?

Migration is inevitable

Well, the chances of finding an entry-level job in Europe are getting a lot better. In 250 years, the demographic weights of both Europe and Africa have completely reversed. In 1800 there were about 1 billion people in the world. Twenty percent were Europeans, and 7 per cent lived in Africa. So in 1800 there were roughly three Europeans for every African. There was a huge migration flow out of Europe – one out of three Europeans left their continent in the 19th century, mostly for North and South America.

By 2050 the world will have some 9 billion people, of whom 20 per cent will be in Africa, and 7 per cent in Europe. The population of a country such as Germany is projected to shrink, whereas the populations of many countries in Africa and Asia will continue to grow very rapidly. If current trends continue, the average age of the European population will be very high,

and there will be many empty apartments in Berlin and Paris. So, it is almost inevitable that there will be more migration from Africa and Asia to Europe.

Communication is getting ever easier and cheaper. Cellular telephones and the internet have greatly improved access to information about job opportunities, entry requirements, and possible routes to receiving countries. There are migrants from every country in many other countries. They can tell friends and relatives about jobs instantly. In America, we often say you can learn about jobs in meat-packing plants in the United States faster from Mexico than if you live a mile away from the plant. And transport is also cheaper, easier, and safer than ever. Nowadays, travelling legally to the most distant places in the world costs no more than US\$3 000. Smuggling is more expensive – the highest smuggling costs are from China to the United States, at about US\$20 000. Even then, workers can still pay back those costs within two years or even less.

Migration is inevitable, and is very likely to increase. It is equally clear that most migrants and their families will benefit when they move from a poorer to a richer country. But what about its effects on the receiving and sending countries?

The economic outcomes of migration

Economists continue to debate the effects of migrants on the incomes of local workers; there is no answer that will apply to all countries and all types of migrants. The current mainstream view of the economic impact of immigration on the United States is that, on average, each immigrant adds about US\$80 000 to public finances. However, if the immigrant in question has a college education or more, that figure rises to US\$200 000, and if he or she has less than a secondary school education, it's minus US\$20 000. So, as a receiving country, you really can't go wrong by taking college-educated people.

You can take that same number – an average gain of US\$80 000 per immigrant – and interpret it in two different ways. If you are pro-immigrant, you can say that this adds \$10 billion to the economy, which is a lot of money. If you are anti-immigrant, you can say that \$10 billion equals 10 days' worth of expenditure on the war in Iraq, or two weeks' worth of economic growth. Most economists therefore agree that migration to the United States has a small positive economic effect.

What about the sending countries? Broadly speaking, the cost to most sending countries is the 'brain drain' – or loss of skilled people. In some cases, this can be dramatic. There are more Ghanaian doctors outside Ghana than inside it, and some even say there are more Ghanaian doctors in Chicago than in Ghana. Of course, the emigration of skilled workers can be very beneficial as well. The flow of migrant remittances to developing countries has increased

People move to find a place that is safer or more culturally comfortable, but mainly in search of economic betterment

enormously, and remittances are now about a third of all financial flows to developing countries. The World Bank argues that migration can speed up development in sending countries, but this theory has not really been tested.

In any economic model, the main beneficiary of migration is the migrant – he or she gets more money. But the beauty of migration is that you can have spill-over effects that benefit the employer who gets to fill the job with a better or cheaper person; the receiving society benefits because you get new ideas and a somewhat bigger economy, and the sending country benefits from remittances. But the important thing is that migration will not be the saviour or the downfall of countries. It's a benefit to both sending and receiving countries – but a relatively small one.

So what does this mean for politicians and officials who are trying to manage migration? First, wise policy-makers will realise that there is not a lot they can do about the demographic and economic differences which drive migration in the short term. They won't want to try to increase the cost of air travel or of phone and internet usage, all of which are important for economic growth. So what do they do? Policy-makers look to what they control – rights – and try to manage migration by manipulating rights.

Here are two examples. In the early 1990s, a thousand people a day applied for political asylum in Germany. Asylum-seekers were sent to a hostel where they were given a room and board. They were given a chance to say why they needed refuge, and

were usually turned down before entering a long appeals process while local taxpayers picked up the cost. All this was a perfect recipe for provoking an anti-foreigner backlash. How did Germany resolve the asylum crisis? They changed people's rights, making it more difficult for asylum-seekers to enter Germany in the first place.

How? They required visas for more countries, fined airlines that transported people to Germany without passports or visas, and applied a 'safe third country' rule – if you passed through a safe country on the way to Germany, you should have applied for asylum there. You don't hear as much now about the asylum problem as you did 10 or 15 years ago.

Another example of trying to manage migration by manipulating rights is what happened in the United States about welfare payments. People born in the United States are automatically American citizens, so while parents born in other countries may not be eligible for any kind of social assistance, their children are, and that created a backlash. The American response was to cut back welfare for everybody, but especially for immigrants, legal as well as illegal.

If you withdraw migrants' rights to stay without paying any attention to incentives, you have a recipe for a large underground population

As these examples suggest, managing migration solely by manipulating rights often creates sharp clashes between locals, migrants' rights groups, and policy-makers. Policy that makes life too difficult for migrants pushes them underground, and provokes human rights protests. If policy seems too lax, there are anti-migrant backlashes from voters. Moreover, however policy changes, people adapt, and this requires another intervention. I don't know of any migration expert who thinks that manipulating rights is the best way to manage migration, but it is often the default option for policy-makers because it is the only tool readily to hand.

A better approach begins with obtaining good data. It really makes a difference whether there are a million or five million immigrants in your country.

It makes a difference where they are. Different issues arise in areas where a majority of the labour force is foreign than in places where they are a small minority. It makes a difference what kinds of jobs migrants have, especially because less skilled migrants tend to accumulate in very specific niches, like construction, low-end manufacturing, and domestic work

Second – and this is key – don't just rely on changing rules and rights to achieve policy goals. Make sure that the incentives of migrants and employers line up with policy goals. So if the goal of a country is to rotate migrants in and out rather than allowing them to settle permanently, which is what most Asian countries say, then make sure that incentives reinforce the rotation rules. For example, you might refund some of the levies on employers and income taxes paid by migrants when they leave, to give both employers and migrants a financial incentive to ensure that migrants leave when they are supposed to. If you just withdraw migrants' rights to stay without paying any attention to incentives, and rely on the police to try to find and jail them, you have a recipe for a large underground population, a proliferation of fake documents, and lots of corruption on the streets and at the borders.

Simple policies

Third, simple policies are best. Complex policies for regulating whether a foreigner is needed on a job-by-job basis require enormous bureaucratic capacity, which very few countries – and certainly no developing countries – actually have. Complexity also creates confusion, delay, and opportunities for corruption. Malaysia and Thailand are good examples of countries with simple policies. If an employer wants to bring in a worker, all it has to do is pay the migrant as much as a local person in the same job, plus an additional levy on top of the usual taxes. As a result, employers only hire foreigners if they really need them. And the levies can go into a training fund for local workers.

Last, I think it would also be useful for a country such as South Africa to consider how some other middle-income developing countries are managing the social pressures created by migration. For instance, there may be valuable lessons to be learnt from the way in which Costa Rica – which has about the same per capita income as South Africa – manages to integrate a lot of immigrants from Nicaragua, its war-ravaged and much poorer neighbour, without creating resentment.

Malaysia has exactly the same per capita income as South Africa, about US\$5 400. It has a higher percentage of immigrants than South Africa, about one in nine compared with roughly one in 17. One of the first things you hear in Malaysia is that they feel vulnerable as a relatively well-off country with a long and porous border with a much poorer and larger neighbour, namely Indonesia. Malaysia also has a highly educated Chinese minority, plus affirmative action for indigenous Malays, so some members of the Chinese minority emigrate. Malaysia imports large numbers of both skilled and unskilled people from neighbouring Indonesia as well as Bangladesh, the Philippines, and other countries, using a simple 'pay-to-play' system. So Malaysia may actually be the most interesting country for South Africa to look at.

Key points

- Although migration is natural and inevitable, only a small minority of people migrate.
- Successful migration management requires good data.
- Because economic conditions and migrant behaviour can change rapidly, migration management rules and systems should be flexible.
- Migration management rules should work with incentives aimed at both migrants and their employers.
- Migration management systems should be simple. Complex systems create confusion, delay, and corruption.

Discussion

Could you tell us about the debate about nomenclature for people who migrate to a country without following the proper channels? Why do some people call them 'illegal,' and others 'undocumented' or 'irregular'?

Philip Martin: The term in American government publications was 'illegal' until the late 1980s, when it changed to 'unauthorised.' 'Undocumented' is a term that some migrant advocates use. It's actually wrong. Having interviewed many unauthorised people, I can tell you that everybody has documents. They're just not documents issued by the United States govern-

ment. You can go to any flea market in California and buy good quality fake documents for about US\$100. My experience in the United States is that migrants rights activists use the term 'undocumented,' and the restrictionists 'illegal.' The United Nations system uses the term 'irregular.'

Many - or even most - of the people migrating to South Africa now are coming for a mixture of reasons. Partly they are economic migrants looking for a better life; partly they are fleeing meltdown and disorder in Zimbabwe. How do other countries manage these kinds of mixed flows?

Philip Martin: It's very hard to find pure motives for migration. Managing a mixture of forced migration and economic migration is very difficult. This will become even harder with increased environmental migration. Do not do what the United States did when the Central American countries had civil wars in the 1980s: we gave refugee status to those who were coming from factions we supported, and denied it to the others. Eventually the courts got involved and we wound up giving refugee status to everybody. So you need to be consistent, respect human rights, and look after refugees who are really in need of political asylum. But you have to be realistic in that there are limits to how many refugees you can accept.

In most industrial countries, when the number of asylum-seekers rose quickly, policies were put in place to make it more difficult for people to gain access to the asylum system. This means that there is a limit on how many refugees will be accepted by the settled population. And therefore, if you have mixed migration, you should probably emphasise its economic side, and manage it in ways that are appropriate for the economy of your country.

In South Africa we really struggle to determine how many irregular immigrants there are. How does the United States try to count them?

Philip Martin: We use a residual method. We try to estimate how many people are living in Mexico and in the United States from census and survey data. Then we use household surveys to look for extra people in the United States, and missing people in Mexico. If Mexicans emigrate, almost 99 per cent come to the United States. So if they're not dead, and they're not in Mexico, then they're probably in the United States. The method is not perfect, but it has improved signifi-

cantly over time. Twenty years ago it was common to talk about 2 to 20 million unauthorised foreigners; now we talk about 12 million. You need several years of survey data in both sending and receiving countries to be able to say anything definitive.

Surely people from Africa north of the Limpopo who have the skills and money will tend to go to Europe and America, where their skills will produce greater rewards than in South Africa. But you don't need much money or skill to walk across a border. Does this not mean that those coming to South Africa will tend to be less skilled, and will therefore have a generally negative effect?

Philip Martin: I don't think South Africa will get only unskilled workers. The United States actually takes a higher percentage of Mexicans with PhDs than those without secondary school. About 10 per cent of all people born in Mexico live in the United States, but about 20 per cent of all those with PhDs live in the United States.

I suspect that South Africa will attract migrants at the top and the bottom, as opposed to just the bottom. The numbers at the bottom will probably be bigger, simply because there are more people there, but I would suspect that you would get some people from the top as well.

The politics of migration policy

Tamar Jacoby

Tamar Jacoby is president and CEO of ImmigrationWorks USA, a federation of employers working to advance better immigration law in the United States. A nationally known journalist and author, she is a leading advocate of immigration reform in America. She is the author of Someone Else's House: America's Unfinished Struggle for Integration (1998), and editor of Reinventing the Melting Pot: The New Immigrants and What It Means To Be American (2004).

I AM a veteran of what we call the 'immigration wars' in Washington, DC. For the past five years I have worked very closely with the White House, various Democratic and Republican legislators, and a broad coalition of political factions that have been trying to change our immigration law. This has been a bitter battle, and we haven't won it yet. So I don't claim to speak the language of success, or to be saying, 'here's what we've done, you should try it'. But I think what we were trying to do and how we went about it may nevertheless be of some interest to you in grappling with the politics of managing immigration.

The list of forces on my side was very interesting. We had a very conservative Republican president. We had a small number of Republican legislators, led by Senator McCain. We had a fairly large number of Democratic legislators, led by the most left-wing senator in Congress, Edward Kennedy. We had the

business community, represented by the US Chamber of Commerce and all the major trade associations. The union movement was divided, and there were some ambivalences, but basically we had both business and the unions. We had the faith community, from the Roman Catholics to the Evangelicals. And we had immigrants' rights and human rights activists. So it was a very strange, very broad coalition.

You don't see that kind of coalition around almost anything else on the United States political scene, so what could bring together that kind of group? Well, it's like the story about the elephant. Six people look at an elephant, and each describes something very different – the trunk, foot, or hide – and the descriptions sound very different. Similarly, if you ask these different factions why they favour immigration reform, or why they thought it was necessary, they would each describe something significantly different.

Unrealistic limits

The problem is that about 1,5 million people migrate to the United States every year, almost entirely to work. We give visas to a million of these; the other 500 000 enter illegally. As a nation, we're pretending that we don't need half a million extra workers. We're trying to fight the dynamism of the economy with unrealistic limits.

Different parts of that lack of realism bothered different parts of the coalition. Employers were

bothered by the fact that when they tried to grow their businesses, they couldn't find enough workers. Unions were troubled by the accumulation of irregular workers, because undocumented workers are more exploitable, and having a lot of them around might drive down wages and worsen conditions for union members. The human rights, immigrants' rights, and religious communities were troubled by the cost to the migrants of being irregular, having to live in the shadows, and having to risk dying in the desert. But all these groups agreed that the large illegal flow was created by the fact that our limits were so out of sync with our real economic needs.

The policy package crafted to meet these concerns had something for everyone, and addressed the agreed-upon problem. For business, the most important thing was that there would be more visas every year. For the unions and the Democrats, the most important thing was that migrants who were in the country already would be legalised. That was the original deal at the heart of the proposed policy.

But then, of course, there are the concerns of voters who are really bothered by illegality and think that immigration is out of control. So increased enforcement had to be part of the policy package. That might seem like an impossible dilemma. How could one simultaneously satisfy those people who want more immigration and those who think it's out of control? If you think about it a bit more, though, it becomes apparent that they are not really incompatible. In fact, they are part of a coherent package, because when you have limits that are totally out of touch with reality, it's very hard to make them stick. As a border patrol agent said to me once, 'We make the policy to keep the people who think we're admitting too many immigrants happy. And then we don't enforce it to keep the other side happy.'

Economic realism

So the central idea at the heart of our comprehensive immigration reform package was to get a more realistic policy that would let in the numbers of people our economy actually needs – and then enforce it properly.

The key to effectively enforcing an immigration policy is to do it in the workplace. You can only do so much with border fences. As we say in the United States, show me a 50-foot wall, and I will show you a

51-foot ladder. By contrast, if an employer has a way of telling whether the person standing in front of him is legal or not, and there are enough legal workers to fill all his empty job slots, he does not have much of an incentive to hire illegal workers, and people without visas do not have much of an incentive to come to America. Employers generally won't risk illegality if they do not have to. People won't need to come to the United States illegally if they can get a working visa, and they are very unlikely to migrate illegally just to be unemployed.

The large illegal flow was created by the fact that our limits were so out of sync with our real economic needs

With this kind of approach, you're not going to eliminate unauthorised migration altogether – but you have a much better chance of controlling it. There are important security advantages as well. The security people would far rather have a situation in which almost everyone coming to the United States to work has proper papers. If that were the case, they could stop putting effort into chasing people whose only crime is crossing the border illegally. They could concentrate on the really important job of stopping real criminals or likely terrorists from entering the country.

The American experience shows that it is possible to put together a coalition of leaders who recognise the benefits of realistic migration management. But that is probably less than half the battle. Just like everywhere else, the reality is that many voters say, 'We don't trust so-called experts, and we don't like foreigners. We don't need extra people competing for jobs. Immigrants are just not good for America.' In fact, if you landed in the United States a year ago and listened to the debate about migration, you would think that 90 per cent of the voting public were opposed to the reform that we were trying to pass.

However, if you look at public opinion more carefully, it turns out that only about 20 to 25 per cent of the American public are strongly opposed to immigration. This minority is very agitated and emotional about immigration; they think their jobs and the nature of

the country are at stake. They write letters to their Congressmen complaining about immigrants. Then there's about 20 per cent who realise that immigration is good for the country. But, unlike the anti-immigration minority, the pro-immigration 20 per cent are not very emotionally involved with the issue.

Then you have the 60 per cent in the middle. They are the interesting ones. I spend a lot of my time with focus groups, sitting behind a mirror listening to people sitting around a table and talking about immigration. When they first come in, no matter who they are, from what part of the country, or how educated they are, they always complain. They say they're hearing too many foreign languages in the streets; that local schools have too many foreign kids; that the

You can't use the law to deny demographics, or fight the dynamics of the world economy

local hospital is full of foreigners. They're noticing all the immediate costs to them. Everyone is pounding on the table, complaining. If we leave the discussion unstructured, they just get angrier and angrier.

But if you ask them what they want to do about immigration, they quickly get very pragmatic and start to work towards a solution. First, someone suggests arresting and deporting every illegal immigrant, and they all agree that this is what we should do. Then someone says, well, wouldn't it be awfully expensive to find and deport 12 million people? And then someone says, 'Who would mow my lawn?' Then someone suggests that we should make life so difficult for illegals that they want to go home. But then they realise that this would also be very expensive. After 45 minutes – and I guarantee that you can set your watch by this – somebody who was previously complaining starts to say, you know, I hate to say this, it really bothers me, I don't want to be the one to have to say it, but I guess we have to give them a way to get legal. And then you say, okay, what hoops would you make them jump through? And they come up with exactly the kind of package my coalition put together.

So I do believe that the majority of the public can be brought round to pragmatism, after a little discussion. But you do have to be careful about how you make

the case. You can't just say to voters: 'You may not like immigrants, but just stop worrying, and trust us. Immigration is good for you.' That really won't work.

At least in the United States, it is not effective to appeal to human rights. Americans are not remotely interested in the rights of people from outside their political community. You need to think and talk about migration in terms of the national interest.

Next, you need to disentangle refugees and economic migrants both in the minds of the voters and in your policies. There are clear limits to how much empathy voters have for refugees, whereas if people come to do work that the society needs done, that is a very different kind of argument to make. So it is very important to disentangle the reasons why people are coming, and make those reasons clear to the public.

Last, members of the public are generally very unhappy with the idea of new migrants having access to the welfare system. They almost always feel strongly that whatever government grants and services are available should be for citizens only. So you want to be clear that new migrants will not qualify until they have made a positive contribution by working and paying taxes for a good while. Also, providing welfare to migrants skews the market forces that drive migration. You don't want people coming to live off your welfare; you want people coming to your country if the market is drawing them there to be productive. Welfare for migrants not only skews the healthy dynamic that drives migration, but also diminishes public acceptance.

Finally, if I had to leave only one message behind from the American experience, it would be this: the first and most important step is to accept the inevitability of migration. You can't use the law to deny demographics, or fight the dynamics of the world economy. Recognise the reality that migrants are going to keep coming. The job of government is to manage both benefits and costs in your national interest.

Key points

- Countries cannot successfully use their legal and police systems to deny demographics, or fight the dynamics of the world economy. The job of government is to manage the benefits and costs of migration in the national interest.

- The American experience suggests that it is possible to construct a broad political coalition in favour of an economically sensible migration policy. Security interests, the concerns of business, labour, human rights and migrants' groups, can all be accommodated if migration rules accurately reflect the level and pattern of labour demand.
- Migration control should include workplace checks as well as border controls.
- Opinion polls show that most voters do not like the idea of more immigration. But most people have very pragmatic ideas about how it should actually be managed.
- Voters strongly disapprove of economic migrants having access to the welfare system, at least until they have paid taxes for several years.
- Assimilation of new migrants is more successful if it is based on a shared commitment to a constitution and on shared economic goals than if it focuses on culture.

Discussion

Why does a country such as the United States need unskilled workers? As the economy becomes more advanced, doesn't the need for unskilled immigrants fall away?

Tamar Jacoby: We actually need an increasing number of unskilled workers. Fertility in the United States is reaching a plateau, and will soon start to drop off. Within 10 years American fertility rates will be at the point where without immigrants we wouldn't be reproducing ourselves. Even more important, the American workforce is becoming more and more educated. If there is one set of numbers you need to know to understand the American migration situation, it is that in 1960 half of all American men dropped out of secondary school, but fewer than 10 per cent do so today. This means that fewer than 10 per cent of American men are likely to want to do unskilled work.

But to keep the economy growing, we need lots of unskilled workers. Even in a country that is becoming more and more technically advanced, you still need unskilled workers, and in many sectors you arguably need more. The best-known example in America is meat packing. This used to be done by highly skilled

workers, men who used knives to carve up carcasses, and made \$20 an hour. Today, because of technology and because of competition from other countries where labour is cheaper, meatpacking jobs pay \$5 an hour because the carcass moves by on an assembly line, you make one stab, and that's your whole job.

It's a similar story with restaurants. American women used to stay at home, cook, and run their households. Now increasingly women are in the workforce, so more and more people go to restaurants – all of which need to be staffed with unskilled workers. So even in a country where the workforce in general is becoming increasingly educated, you still have a great need for semi-skilled and unskilled workers.

If you look at the growth and advancement of the American economy over several decades, half of our economic growth was made possible by the injection of unskilled workers, along just the lines I've been

Half of the new jobs created in the United States over several past decades were made possible because there were immigrants to fill them

talking about. Half of the new jobs created in the United States over several past decades were made possible because there were immigrants to fill them. This does not mean that immigrants took American jobs, because we were at full employment. Unskilled migrants to America were taking new jobs and freeing up more highly skilled people. The unskilled are complementary to the skilled. If you can't get dishwashers, you won't invest in a new restaurant – so no jobs for highly skilled chefs, less work for accountants, less work for banks, and more highly skilled women at home cooking instead of using their skills in the workplace.

What is your view on economic research which suggests that unskilled immigrants push down the wages of unskilled Americans? Even if the overall economic effect is positive, if you're an unskilled worker, does the overall benefit of migration really have positive effects for you? Aren't there some people in a society who tend to not benefit from unskilled migration?

Tamar Jacoby: The debate about the effects of immigration on unskilled wages is between people who say it is almost zero over a few decades, and those who say it is minus 5 per cent over several decades. And only about 10 per cent of the American population competes with unskilled immigrants.

You have to counterbalance the effect on wages with the positive effects of migration on economic growth as a result of greater productivity across the workforce, and you also have to take into account cheaper goods made possible by the presence of unskilled migrants. I don't have statistics to prove it, but I'm pretty sure that even high school dropouts end up doing better than they would have without migrants in the United States.

An important aspect of the politics of migration is about how to integrate immigrants so that both the native-born and immigrants feel they belong, and interact comfortably, without the kind of xenophobia we've seen here. How does the United States try to do this?

Tamar Jacoby: Large-scale migration can't work

Large-scale migration can't work unless you handle assimilation questions. In the United States we do a pretty good job on this

unless you handle assimilation questions. In the United States we do a pretty good job on this. Doing this well is not as much about policy as it is about national identity, and one's concept of national identity. When I go to Europe or Canada, I'm amazed by all the policy instruments they use to try to make migrants welcome and integrate them. They help them learn the language, and help them to get jobs. In Canada, they even help them to get dates! In the United States we do almost nothing for them, and yet we succeed; assimilation is much more successful in America than elsewhere. Somehow, we get people to feel that they really belong.

I think this comes from our concept of what the United States is – that you can be culturally different, and yet part of the nation. In Europe they don't really have that. You're an American if you subscribe to a certain set of ideals and values about our constitu-

tion and about the 'American Dream' – the belief that hard work will bring great rewards. In Europe, identity is much more defined by ethnicity and traditions. Maybe in South Africa you have a chance to follow a more American-style approach. Like us, you are a very mixed, cosmopolitan country. So the definition of what it means to be a South African can't be ethnic – it must be constitutional, and about the values you hold dear.

General discussion

- It is useful to remember that in many countries skilled migration is not a political issue at all. No opinion poll in the United States would ever show more than 10 per cent of people agreeing with free movement. Nonetheless, there is effectively free movement in North America for people who have at least a college degree, and European countries have been getting more and more open to people from anywhere with a higher education. Skilled migration flies under the political radar because the numbers aren't that big, and people in general somehow don't think of professionals as migrants. You can often get all the benefits of skilled migration with little or no political cost.
- What Tamar Jacoby said about the value of unskilled immigrants strikes a chord. We often think that South Africa only needs engineers and accountants. But one of the things that is really missing here is small business development in rural areas. This is something that less skilled Chinese and Somalis are willing to do. They create jobs and services in areas where the state cannot, and where highly skilled people would never consider going.
- Unskilled migrants are useful in an advanced economy – and probably in South Africa's as well – but it is important not to overstate the case that they are essential. Japan, for example, has an aging, increasingly highly skilled workforce, and they have tended to prefer automating unskilled work and importing products – like fruit and vegetables – that have a high unskilled labour component. Countries need to decide on their attitude towards unskilled migration depending on local circumstances and interests – for instance, are your management systems set up to handle more labour or more capital-intensive processes; are you good at main-

taining technically advanced equipment; do you want to be able to feed your population without imports; do you have surplus housing?

- Building a 'wall' along your border is very expensive, may not be all that effective at stopping determined people, and certainly has some perverse effects – like benefiting smugglers and making illegal migrants more determined to stay once they've got round the fence. In much of the academic literature on migration, you get told that anti-immigrant opinion would decline if people just knew the facts. There is some truth in that,

but it is not the whole truth. A fear of strangers is deeply ingrained in most people. Symbolism is important.

- Therefore, even if a 'wall' is a bad investment from a strictly technical point of view, it might well play a valuable role in managing the politics of migration. You need to show the native-born population that you are taking firm steps against the irregular migration that bothers them. If you can do that, you might get more political support for a migration policy that let in a lot of people legally.

Migration management in Australia

Elizabeth Campbell

Elizabeth Campbell is first secretary (immigration) at the Australian High Commission in South Africa.

AUSTRALIA IS a country of immigrants. We have had a managed migration programme since 1947. The way in which we develop and manage our immigration and citizenship policies is central to what it means to be Australian. These programmes directly reflect what we value as a people, and how we think about ourselves as a nation.

Our Skilled Migration Programme was started after World War 2 to bring in large numbers of skilled migrants to assist with major infrastructure projects, and our need for skilled immigrants continues. Estimates in 2008 predict that Australia is heading for a skills shortage of about 240 000 workers by 2016. When you consider that its total population is 22 million, that is a significant figure. We expect that in the decade 2010 to 2020 more people will retire in Australia than will join the workforce.

Australia has felt the effects of globalisation. Skills shortage is a global problem, and over the past 20 years we have witnessed the internationalisation of the labour market. Many skilled and professional people now move between several countries in the course of their careers. Australia is not immune to this. Last year more than 70 000 people left Australia permanently, and a further 100 000 worked overseas for at least 12 months. When considered in the context of Australia's population, and given that this happens every year, these are significant numbers.

These trends mean that Australia's labour force, if left to itself, will eventually become stagnant and decline.

The Australian government has adopted a 'whole of government' approach to addressing skills shortages. This means that several arms of government are involved in implementing policies and initiatives to address skills shortfalls. Immigration policy is a significant element of our approach, but we have started a number of other initiatives for growing our skills base. In fact, we locate our immigration policy with our broader skills policy. Australia's current government came into power in late 2007 on the promise of an 'education revolution.'

Comprehensive plan

The government has a comprehensive plan called 'Skilling Australia for the Future.' It involves a total investment of AU\$19,3 billion in education and training. This is expected to create more than 600 000 new training opportunities, and a major expansion of vocational education. So, for us, immigration is not only about bringing people into the country to address skills shortages, but also about using skilled immigrants to help develop the skills of born Australians. Immigrants actually help to pay for this plan – they bring a significant net fiscal benefit to Australia. For instance, from July 2007 to June 2008 the migration programme brought a net fiscal benefit to Australia of AU\$610 million.

Moving on to the mechanisms that we use to

manage the programme and to attract migrants: our programme is carefully planned, and aimed at working towards the national interest. It may sound self-evident, but, as many countries around the world have experienced, if you don't have a planned programme, you are not able to work to your own country's national interest.

The visa criteria and requirements for skilled migration to Australia are designed to select migrants with appropriate skills and education levels, and those who are most likely to settle successfully and enter into full-time employment soon after arriving. Every year the government determines the size of the programme, including the skilled migration programme, through a series of consultations with industry, communities, and government agen-

Immigration is not only about bringing people into the country to address skills shortages, but also about using skilled immigrants to help develop the skills of born Australians

cies. We have two major migration streams: the Permanent Skilled Migration Programme, and the Temporary Skilled Migration Programme.

Within the Permanent Programme, there are three substreams. The first is the independent stream, in which the applicants are assessed against the points test system. If they get enough points for their skills, experience, age, English language ability and so forth, they can come to Australia to settle permanently and look for a job when they arrive. Second, we have an employer-sponsored stream in which employers can identify and sponsor employees from overseas to fill skilled vacancies on a permanent basis. Third, we have the regional sponsored stream, in which Australian state and local governments can sponsor overseas employees to fill vacancies in their regions.

The independent stream is managed through the points test. This test is intended to systematically and objectively select migrants who are most likely to contribute to Australia's economic and skills goals. It is also used to regulate the size of the programme according to the planning levels that the government has set. Over successive years, the Australian

government has adjusted the requirements under the points test to meet the current needs and priorities of the time. An example of this was in the early 2000s, when a new feature was introduced to the points test – additional points for an Australian qualification. This was introduced to counter employer concerns that Australia could lose its competitive edge internationally in the dot.com boom because of a lack of skills relevant to Australia.

The pass mark is another lever available under the points system. It is used to control the numbers of people who qualify. In my time in the Immigration Service, the pass mark has varied between 95 and 120. So it is used quite actively in response to how many new skilled workers are being demanded by Australian employers.

Another lever we use to manage permanent skilled migration is the Migration Occupations in Demand List. These are lists of qualifications that are in high demand in Australia, and people with skills and qualifications in those occupations are given priority under the points test. By adding or removing occupations, the government can adjust the level and type of skills that are being brought into Australia in line with the identified skills shortages at that time.

Employer demand

Our Temporary Skilled Migration Programme has many elements, including occupation-specific categories such as academics, sports people, entertainers, and medical practitioners. But the centrepiece of Australia's temporary Skilled Migration Programme is the Category 457 visa. Under this visa, Australian employers can identify and sponsor overseas employees to work in Australia in skilled positions which the employer is unable to fill locally. The employer is obliged to employ overseas workers under Australian legislated work conditions and pay Australian legislated salary levels. The 457 visa allows overseas workers to work in Australia for anywhere between one and four years, depending on the needs of the employer. The programme also offers a pathway to permanent, skilled migration. The 457 visa category was originally designed to bring into Australia a small number of highly skilled professionals, specifically doctors, nurses and engineers. But in 2003 the program increased significantly in numbers, and between 2003 and 2008 it was also used to

address shortages in lower skilled occupations. Over the past five years the Australian government has in fact issued more than two million 457 visas.

There is no doubt that temporary skilled visa programmes play an important role in addressing critical skills shortages, but they cannot solve long-term labour force needs. By definition, temporary visa programmes will not deliver net positive overseas migration. It remains the Australian government's view that a permanent migration programme is essential to tackling our ongoing skills shortages. In recent years we have conducted skills expos in a number of major cities around the world, including Hong Kong, Manila, London, Amsterdam, Berlin and Shanghai. The expos offer Australian employers the opportunity to showcase their companies and the vacancies that they have in skilled occupations and to meet with potential job applicants who may fit the skills needs of those companies. Australian employers also undertake occupation-specific recruitment seminars. Police, health professionals and teaching organisations have all done this successfully.

Key points

- Australia's migration policy aims to advance that country's national interests in skills development and economic growth.
- Australia's migration policy is closely integrated with its skills development policy.
- Migration creates significant economic benefits for Australia.
- Australia's migration rules are adjusted each year depending on economic conditions and after wide consultation with government agencies, industry, unions and civil society.
- Besides its 'points' system, Australia runs a large employer-sponsored migration programme.
- The Australian government and Australian industries hold skills expos to recruit skilled immigrants.

Discussion

How did Australia develop the capacity to manage migration in the way you describe? How did the state get its statistics in order? Is there a centre that mod-

els migration flows and needs? How do you negotiate with industry? Are there annual meetings?

Elizabeth Campbell: The Australian government has a Department of Workplace Relations, which conducts a lot of research into our labour needs. The Department of Finance and Treasury also do a lot of modeling of our economic needs. So we do have a lot of state capacity to do that sort of research. In addition, the government contracts private economic consultancies to work on migration policy. But that's not to say that employers don't have a role. In fact, there is considerable lobbying of the government by industry groups. And the government tends to listen. A good recent example is the introduction of a guest worker scheme for fruit pickers. This has come out of persistent lobbying by farmers.

What happens when people come to Australia for one category of job but then switch jobs? What happens if the government decides you need 100 000 farm workers and when they get to Australia they all want to work in construction instead because the pay is better? Doesn't that sort of thing negate a lot of your planning?

Elizabeth Campbell: Until now the majority of our skilled immigrants have come to Australia under the independent stream. And while there are some levers within that points test system to manage both the skills levels and the numbers of people coming in, it's a fairly blunt tool. It's not very targeted to the specific needs of Australian employers. The government has recognised this and is now looking at ways to put in place incentives for employers to use some of the other streams available in our Permanent Skilled Migration Programme, specifically the employer-sponsored stream. In the past there were actually some barriers to employers using the employer-sponsored stream. One of them was this incredibly antediluvian process that they had to go through of putting adverts in the papers to show that they could not source the labour they wanted within Australia. That's been removed. So while we can't always retain people in the jobs in the independent stream, the opening up of streams on the demand side means that we compensate for that.

How do you handle xenophobia, and worries from the labour unions that migrants make labour cheap?

Elizabeth Campbell: Australia has, on the whole, been lucky that we have not seen any really major

xenophobic violence. There have been some fairly small-scale violent incidents, and there is no doubt that there is political tension in Australia around migration. The most obvious sign of this was the rise of an anti-immigrant political party called One Nation. They have gathered some support, particularly in rural areas where there's higher unemployment, but they have remained a small minority. The government has worked hard to introduce initiatives to reduce tension on this issue.

There's a whole suite of legislation to address unacceptable behaviours. We have an access and equity strategy to ensure that everyone, irrespective of race, religion, culture, has equal access to government services. We have programmes to assist new migrants to Australia to settle. These include orientation programmes that are run for new migrants before they reach Australia, Community organisations get funded

to provide settlement services and counselling services for people to help them settle in. And we also have a big programme called Living in Harmony, which works through school education, community projects and through government agencies.

Unions have been a big barrier in past years to employers bringing both skilled and unskilled workers to Australia. Unions have significant power in Australian politics, although this declined during the period of Liberal Party government which ended in 2007. While the unions are still listened to, now they are only one part of the mix that the government takes into account. And there are also signs that the unions are changing their attitude. While they have not come out in actual support of the new guest worker programme, they're not opposing it. So I think the unions in Australia are also starting to see migration in terms of Australia's broad economic needs.

Migration management in India

Suresh Kalra

Suresh Kalra is Deputy Consul: Passports and Visas, Indian Consulate-General in South Africa.

I WANT to make three points. First, migration sometimes looks less rosy when you are from a sending country in the developing world. Indian passport holders find it difficult to get visas, even for totally legitimate travel. I think the international community should make it easier for genuine travellers from developing countries. We also need to have more sympathy for the plight of irregular migrants, especially those who fall victim to touts and people smugglers. Innocent people are duped into believing that everything is above board, and that good jobs await them. Then they are dumped illegally in foreign countries, where they are exploited or even imprisoned. The international community needs to take co-ordinated action against smugglers rather than against irregular migrants.

Second, while most people will know that India contributes a large migrant population to the world, of all varieties, from the most highly skilled scientists to manual labourers, most perhaps don't know that India has also received a large immigrant population from Bangladesh, Nepal, and Pakistan. We have

failed to control these flows, and there are millions of people from each of our neighbouring countries living in India. But there has been very little xenophobic violence as a result. Of course we sometimes have very serious religious and political tensions in our communities, but there has been very little specifically anti-foreigner violence over the past 50 years.

Third, I think one can be quite optimistic about 'brain drain,' at least in our case. Twenty or thirty years ago, India was very concerned about the emigration of skilled people to rich countries. Doctors, engineers, the information technologists who are so famous today, all these kinds of graduates were migrating to the developed countries while back home we were short of highly skilled people. When I was at university, a lot of us thought that these skilled immigrants were just a disgrace. But over the years we realised that the brain drain has had some very positive effects. We have received huge remittances from these people. They left behind the jobs which they would have otherwise have occupied. Most beneficial of all, many of these people have come back with considerable wealth, great new ideas and new technologies. They now want to give back to the society from which they came.

Key points

- Illegal immigrants are often innocent victims of people smugglers.
- Large inflows of unskilled immigrants do not necessarily cause xenophobic responses from locals, as the Indian experience shows.
- Large outflows of skilled emigrants can be an important source of remittances, investment and other benefits for the sending country.

Discussion

How do you manage access to service delivery for illegal migrants?

Suresh Kalra: We haven't tried to manage service delivery to immigrants. The numbers are huge, the borders are porous, and we are unable to monitor who is coming in and out.

We haven't had the kind of xenophobic violence seen in South Africa. Political tensions do exist, and they do flare up sometimes, but large-scale anti-foreigner violence has not occurred. I think the major reason is that our neighbours were once part of India and so the migrants are – ethnically, religiously, linguistically – the same people as Indians.

General discussion

- It is interesting to hear that Australia has started to move towards a mix of supply and demand-side approaches to managing migration. With pure supply-side approaches, you often get what's called 'brain waste.' We see a lot of that in Canada, where the points system means that the average immigrant has more years of education than the average Canadian citizen. That doesn't necessarily mean that the Pakistani engineer is going to be an engineer in Canada because employers say 'Canadian experience required.' So if you go with the supply approach, you can have doctors driving taxis. The United States has the opposite issue. Their pure demand-side system means that if an employer says they want someone, the government basically trusts them. The advantage of that is immigrants get into the right jobs. The

disadvantage is that you get skilled migration visas being used for family reunification rather than to increase the supply of skills in the United States. The most common occupation for skilled immigrants in the United States is 'Asian cooks.' In response to these problems, the two systems are starting to converge: Canada and Australia are adding points for experience; the United States makes it much easier to get in your 'Asian cook' (i.e. your cousin) if he or she also happens to have a college degree, which is likely to make them more employable outside the family business.

- We also seem to be hearing that there is increasing convergence between permanent and temporary migration streams in Australia. I think that makes sense. Why would we want to kick people out just as they get more productive? As migrants get more local knowledge and experience, I would argue, they become more valuable. You should want to keep them longer. So I think it's a good idea to have a system that starts out with most people coming temporarily but then allows the ones that succeed to graduate to a permanent programme.
- Australia takes its pick of migrants using a very elaborate system, and has well-developed integration programmes. India just lives with porous borders and large flows of anyone who want to come over. I don't think South Africa can realistically develop an Australian-style migration management system – we don't have the state capacity and we just aren't as attractive as Australia. But maybe we have more management capacity than India, and wages here are still high enough to attract skilled people from the rest of Africa, much of Asia and maybe Eastern Europe. I think we should be looking for a middle path. I agree that we need a mix of demand and supply-side approaches, and a mix of permanent and temporary migration. If employers want someone, they should be able to get them in at a price. And if a skilled person wants to come here to settle and look for a job, we could perhaps consider a fairly undemanding points system to screen them – we can't compete with Australia, so we would need to keep our points much lower than theirs.
- India's relative freedom from xenophobic violence raises questions for South Africa – the people who come over our border from Zimba-

bwe and Mozambique often have a lot in common ethnically with South Africans. In both countries, receiving communities are usually very poor. So why did we experience xenophobic violence and India not? There must be more happening in South Africa than just the arrival of a lot of non-

citizens from neighbouring countries. I think we need to look much harder at issues around service delivery and government accountability and not talk quite so much about 'hatred of foreigners' as a cause of the violence.

Implications for South Africa

Dr Mamphela Ramphele

Dr Mamphela Ramphele is Chair, Circle Capital Ventures, and co-chair, Global Commission on International Migration.

WE OFTEN think the problems we face are unique to South Africa. However, international migration is a challenge for the whole global community. We need to understand that we are living in an increasingly interconnected, interdependent global context. This is not something we can opt out of. The issue is simply: how can we take advantage of the opportunities of being connected to this interdependent world? We need to learn from other countries that are doing much better than us in harnessing those opportunities. I'm thinking here of Australia and Canada. Why are they able to have their cake and eat it in terms of international migration? I think it's because they manage what I call the three Cs in a very creative way.

The first C is Capacity, the capacity to understand the global context and therefore position your country in a way that takes advantage of the opportunities on offer, but also faces up to the challenges. Second is the capacity to formulate and implement policy, and to make that policy appropriate to the times. South Africa doesn't have a coherent and well-articulated migration policy. The third type of capacity is the capacity to collect data, analyse it, and use it, not just for policy formulation and implementation but also for monitoring and evaluating how policies are working.

The second C is Coherence. We have just emerged out of a very inequitable situation, where migrants in this country were always treated as fourth class citizens, behind everybody else. Notwithstanding the fact that migrants have built this country, particularly in the mining industry, we've never sat down and said,

in a coherent way, how does South Africa take advantage of the fact that it has the ability to attract migrants to grow its economy? And there is also incoherence in terms of our stated foreign policy. We said we believe in being the engine of the African Renaissance. Now if you're going to promote the African Renaissance, one of the first things you need to do is to look at how your policies are aligned with that vision of an Africa that is united in drawing on all its human resources in order to position itself in a very competitive global environment. And yet we are the same country that killed foreigners, simply because they happen to be African migrants. Go to any Home Affairs Department office and look at how African migrants are treated by our public officials. No respect, no dignity. They are seen as a nuisance and therefore it's easy for them to become targets of violence. There is structural violence against them in the way in which we deal with them in our own public service. I believe that the post-apartheid government has been negligent in helping South Africans to understand the role the rest of the continent has played in supporting our liberation struggle. I mean, there is a cruel irony that in post-apartheid South Africa Home Affairs officials can treat fellow Africans in the way that we do, when we were treated with such gentleness by much poorer African countries; Zambia, Tanzania, Mozambique, Zimbabwe, at great cost to themselves.

We also have incoherence about the reality that we are the engine of growth in Africa. We are the largest economy and, like any large economy, we are going to attract people coming from poorer places. We are also the country that aims to deal with conflicts in Africa, which means we acknowledge that there is political instability in much of Africa. But somehow we don't recognise that political instability will mean flows of refugees and very poor economic migrants. We have incoherence between our trade

and migration policies. Some ministers talk about breaking down the trade barriers in Africa so that we can have one big regional economy. But that's not reflected in how Home Affairs treats people arriving from these countries.

The final C is Co-operation. There is complete disconnectedness between government departments. There is lack of co-operation between South Africa and its neighbours; there is lack of co-operation between South Africa and the international community, notwithstanding the fact that we see ourselves as an important voice on the global stage. South Africa, despite its human rights Constitution, is not conducting itself in a way that says human rights matter.

And so, because of the lack of these three Cs, we are unable to take advantage of migration to help us overcome the challenges we face, and particularly the challenges of unemployment and skills shortages. It's a tragic waste when we know that for every skilled engineer we attract to South Africa, 24 jobs are created.

What do we need to do? First, it's essential that we do much more to educate South Africans about our bonds with the rest of Africa. Second, government needs to be seen to be competently managing migration. The fact that we don't have proper management of our borders creates a negative impression of the people crossing them illegally. It's very annoying to see people coming in underneath the fences, to see people doing that to your country. I mean, deep down in your heart of hearts it makes you think of them as criminals, even though they are really desperate people in search of opportunities. Third, government needs to give the public a sense of confidence that the social services are being competently and fairly managed. The social services are bad, with or without migrants. When things are bad, there is a natural tendency to look for scapegoats, which is why the government's very simplistic notion that you can just integrate migrants into poor communities is really pouring oil over fire.

The reality is that there is overcrowding in a lot of poor areas. And because some migrants are entrepreneurial, they are able to buy RDP houses from South Africans, who then create another problem of more shacks. This cycle isn't going to be broken until government is able to manage the delivery of social services and to meet its international obligations to give refuge to refugees instead of just dumping them on poor people.

Key points

- South Africa currently lacks a coherent migration policy that would enable the country to gain maximum social and economic benefit from migration and to minimise its costs
- Both government and voters have inconsistent attitudes towards the rest of the African continent.
- The government should educate South Africans about our bonds with the rest of Africa; public confidence that we are managing our borders competently and humanely; and reassure South African citizens that social services are being provided fairly.

Dr John Carneson

Chief director, strategic and executive support services, Department of Home Affairs

THE POINT made by Tamar Jacoby about how both skilled and unskilled workers can be valuable migrants is very interesting, and her point about enforcement via the workplace rather than police action is also worth taking seriously. We should examine how these could work out in our policy environment.

We should also look closely at the American experience of diversity around a common set of values, as well as the valuable point made in the Australian presentation that there should be a link between national identity and the ways in which migration is managed. We are realising in South Africa that we need to build a common identity around common values, and that one of those values is the value of diversity. We could also learn a great deal from the ways in which Australia links migration to its education and training strategy.

South Africa's relationship with southern Africa is not unlike the relationship between the United States and Central America. South Africa is 70 per cent of the economy of the 14 countries in the SADC region. So I think we need to look closely at what happened in Mexico as a result of NAFTA as we sign SADC protocols. I want to emphasise that we are embedded in Africa. South Africa's borders were only firmed up in 1910

– the country was put together from a hodgepodge collection of colonial states, and the reasons for inclusion or exclusion were quite arbitrary. These states already had complex histories of mutual migration. So I think we have to build our migration policy out of that history. We certainly have to base our migration policy on our national interest, and this includes our interest in physical and food security. But our national interest also has to be located in our historical African context, and in the context of regional development.

Key points

- South Africa needs to create a migration policy that reflects our national economic interests and our values.
- South Africa's migration policy should be developed in the context of regional history and regional development goals.

Neva Makgetla

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TWO THINGS that make South Africa distinctive are that we have a two-tier labour market, and that some of our borders are extremely artificial. For instance, the distinction between Lesotho and South Africa is not one you can justify by anything except the politics of conquest. It has nothing to do with ethnicity. And there is also a history of actually encouraging migration from neighbouring countries in order to provide cheap labour, most famously for the mines, but also for the farms, and I think probably also for domestic work.

Then, although the mines and farms began to need less labour, the need for jobs in neighbouring countries did not change. We haven't really done much as a country to help our neighbours create their own jobs. The fact is that their levels of unemployment and underemployment are very high, and people will generally do better in South Africa than they will at home. We have to grasp the nettle

of regional development and say what we can do specifically to support employment creation and development in SADC, as opposed to making vague statements about the continent as a whole.

Even with a more active approach to regional development, people will continue to come to South Africa in large numbers. We need to develop a rational system for managing this. At the moment we seem to be labeling everybody as illegal. Perhaps our colleagues from Home Affairs could comment on this, but I don't know what you do if you're a poor, semi-literate Zimbabwean and you want to apply for a refugee or working visa. So what that means is that they end up living in the poorest communities, competing for housing and jobs. And because they are illegal they are more likely to be pushed into crime. It is not surprising that local people get so unhappy. Also, because we don't have a process for systematically saying who is a refugee and who is not, or a way of providing some kind of guest worker status, we continuously talk about illegal immigrants and this really feeds into xenophobia.

We have a strong commitment in AsgiSA to let skilled people in, but the system is imperfect. The culture in the Department of Home Affairs and the embassies has been to look for ways to deny visas whenever possible.

Home Affairs is trying to change this attitude, but it is still pretty strong. I practically died the other day because I had to spend a morning fighting to get in 150 people from Belgium to set up a call centre, despite the fact that call centres are one of our highest priorities. Or I go to visit my husband, who is in the embassy in Sweden, and a trade official tells me proudly she has just turned down visas for 12 Swedes who also want to set up a call centre. It's very hard to change that culture.

Part of that culture is parochialism, xenophobia, the 'just say no' bureaucratic mindset. But part of it comes from a sense that historically skilled migration has been about importing more whites as a way to avoid promoting and educating blacks. So we need to link the skilled migration programme very closely with an effort to open up education and skills for more people.

Last, I agree that we should try to move towards more of a demand-driven system for skilled immigrants. You always want some checks, but I would argue that the barriers should be fairly low. I don't

think firms actually want to hire foreigners if they can get skilled South Africans. After all, foreigners are usually far more expensive.

Key points

- Large-scale immigration from the region will continue. South Africa's migration management system should make it easier for regional migrants to apply to live here legally.
- South Africa needs to become much more welcoming to skilled immigrants. Changing attitudes towards skilled immigration will require that the skilled immigration programme be closely linked to a skills development programme for South Africans.

General discussion

- We simply don't have enough information about who is coming to South Africa. We need to get a much more accurate sense of our migration problems and opportunities. Many figures are tossed around without the slightest supporting evidence.
- It's clear to me that we are losing a very large number of skilled workers to emigration. I find it shocking that the government doesn't collect statistics about emigration from South Africa. So we don't know who we're losing, what type of skills we're losing, which countries they're going to. We don't know anything about it.
- Another thing that makes South Africa's situation unusual is that we live on a continent which has major humanitarian crises quite often. We had lots of refugees from Mozambique in the 1980s, we've got Zimbabweans at the moment, we could have Swazis quite soon. It's likely that there will be a steady flow of refugees out of central Africa for many years. We need to have refugee management systems that work all the time, not just when there's a particularly acute emergency.
- I don't think workplace enforcement is a good idea. It drives people further underground, and it creates additional opportunities to exploit irregular migrants. Everyone should have equal rights in the workplace.

- We are a nation that still has to heal the wounds of the past. It's premature to absorb any more skilled or unskilled immigrants. We have too many unemployed South Africans, even highly educated ones. While there are still people with university degrees sitting at home, we must not allow foreigners to take jobs that are meant for our people. And look at the poverty levels in our ordinary households. We don't start the troubles in other countries; we don't create any refugees. So why should we let refugees come here and compete for our resources?
- We need to look hard at business, especially white business. They have a preference for foreigners over locals. There are many willing and skilled South Africans, but yet they still prefer foreigners. We need to investigate and control this.
- The reality is that many of the migrants coming from the rest of Africa are far better educated than

We need to get a much more accurate sense of our migration problems and opportunities

many of the people living here. That is a source of tension, but we can also see it positively. We can see skilled immigrants from Africa as a resource to benefit the rest of South African society. We should be using our African brothers and sisters to create more change locally

- In the United States, we are currently debating the idea of 'earned legalisation' for irregular migrants. This concept might be useful in defusing some of South Africa's tensions about irregular migration from the rest of Africa. People could become probationary immigrants, and if they keep out of trouble with the law, pay taxes, don't try to access welfare grants, prove they can speak a local language and so forth, they get put on a path that eventually leads to citizenship. A lot of people find this a fairer and more acceptable approach that just keeping millions of people permanently illegal.

Key insights from the workshop

Ann Bernstein

WHEN, IN 2007, the mayor of Johannesburg, Amos Masondo, opened the city's migration help-desk, he said: 'It's important to recognise that Johannesburg is a city founded on migration.' We all tend to forget that we are a country of migrants. In fact, South Africa as a whole owes a great deal to migrants. Much of South Africa's infrastructure and wealth, from the mining industry to many of the best-known companies, were founded and then built up by penniless immigrants.

This is as true today as it ever was. CDE's own recent empirical work on immigrants in Johannesburg shows that even unskilled migrants create gainful employment for many local people. Our study shows that, at all levels, from the street trader to the boardroom, most immigrants make a positive contribution to our economy, despite often daunting odds. Foreign-born people in the city are more than twice as likely to be self-employed and self-sufficient than local adult residents. On average, one in every four immigrants hires a South African (see CDE, *Immigrants in Johannesburg: Estimating Numbers and Assessing Impacts*, August 2008).

It was encouraging to learn today from Dr Carneson that the government is rethinking its migration strategy, and redesigning our migration management systems. The presentations today could provide some useful input into how we rethink migration policy for South Africa. Ten really important general lessons emerged from today's workshop. These are:

1. Increased migration is inevitable. Powerful global trends mean that an increasing number of people will be migrating to and from almost every country for many years to come. South Africa is no exception. We have long, porous borders and we are a relatively prosperous and stable country at the bottom of a mainly poor and often unstable continent. Increased economic integration with southern Africa and with the rest of the world will also increase immigration. Skilled South Africans of all backgrounds will continue to find it attractive and relatively easy to emigrate for a few years or permanently. Migration cannot be stopped or reversed by any nation, but with appropriate policies and good implementation, countries can manage many aspects of migration in their national interest. Governments must prioritise what is achievable, do what they can as well as they can and, if they fail, not resort to desperate-seeming or counter-productive action. It is vital to avoid giving the impression that migration is out of control.
2. Only a minority migrate. Even using the broadest definition of migration, including refugees, corporation employees posted to another country and students, only 3 per cent of the world's people are migrants. It is unlikely that immigration or emigration is going to determine the fate of any large nation.
3. Good migration management depends on reliable information. Countries need to develop a clear sense of how many people are arriving and leaving, who they are, what skills emigrants have taken with them; what jobs immigrants are doing and could do; where they live; what they contribute to the economy and society; and what other consequences arise from their presence.
4. Countries benefit enormously from skilled and entrepreneurial migration. These kinds of migrants expand the tax base, create jobs, link the country to global markets, establish low-cost retail outlets where locals have failed to do so and can potentially pass on their skills to locals. Definitions of skills and of entrepreneurship should be broad. A skilled plumber or a successful small business owner can be as valuable as a university-trained engineer or the country manager of a large corporate investor. As long as reasonable precautions are taken to stop criminals and to prevent qualifications fraud, countries will benefit from every entrepreneur and every university or technically educated person they can attract. To maximise the benefits of skilled migration, countries should link their skilled and entrepreneur immigration strategy closely with their education and training systems.
5. The effects of unskilled migration are less clearly understood, and are likely to depend on the specific circumstances of each country or city. In many situations, they will make a positive con-

tribution to the economy by doing important kinds of work that locals can't or won't do. In some cases, however, the presence of large numbers of unskilled migrants may slightly depress the wages of unskilled locals. The benefits of unskilled migration are larger when the unskilled migrants can live and work legally so that their housing and other needs can be planned for. A large population of irregular migrants creates opportunities for crime and corruption; increases the likelihood that migrants will be unfairly exploited; and raises the risk that immigrants will become victims of xenophobic attacks sparked by perceived competition for jobs, housing and other public resources.

6. Hard work is required, but it is possible to construct a coalition of opinion-leaders and policy makers to achieve a politically viable and economically sensible migration policy. This will not happen automatically. Strong leadership and clear communication are required to show voters that migration can be managed in the national interest. If migration rules accurately reflect the level and pattern of labour demand in the economy, security interests, the concerns of business, labour and human rights and migrants' groups can all be accommodated.
7. Successful migration policies respond flexibly to the economic needs of the receiving country. Trying – like the United States – to implement a migration system that lets in fewer immigrants than the economy requires will simply create a large population of irregular migrants, with all the associated opportunities for corruption and disorder. Equally, during economic downturns, countries could – like Australia – have a policy of aiming to reduce migration flows if it is appropriate to do.
8. Middle-income destination countries like South Africa should keep their migration management systems simple. Only the richest and most experienced destination countries can successfully implement complex, data-intensive migration management systems – and even they also rely on simpler procedures based on employer demand.
9. Citizens need to have confidence in their government's ability to manage its borders and advance their interests. Throughout the world many – if not most – voters are concerned that migration could damage their job prospects or change their

country's culture for the worse. Many are angered by the idea that their taxes might be spent on providing welfare to strangers. But most citizens are not firmly xenophobic. Most are pragmatic and willing to accept immigration if they can be reassured that it will benefit the country and if they do not have the impression that irregular immigration is out of control. Governments therefore can and should educate their citizens about the advantages of immigration. Even more important, they should take the necessary steps to ensure that immigration will create jobs and valuable new skills for citizens; that borders are being managed firmly and effectively; and that migrants are not obtaining unfair access to welfare and other public resources. These steps are essential preconditions for an economically appropriate and humane migration strategy.

10. Countries need a strategy to facilitate integration. Immigrants and locals must both come to feel that the newcomers are politically and socially integrated into their new home country. Integration is more successful when it emphasises shared economic goals and the rule of law than when it aims to enforce cultural changes on either immigrants or locals.

Migration issues are far more important to South Africa's hopes of economic growth and development than policy-makers have realised or acknowledged. This is a challenging policy area, marked by heightened political sensitivities and divisions in many countries in the world. As we have seen to this nation's cost, it is also a high-stakes area in which failure or mismanagement can have devastating consequences for individuals and communities, potentially damaging our economy and hurting our international relationships.

South Africa needs clear and bold leadership on the issue of migration to build public confidence. Past failures make dealing effectively with migration issues more difficult in what is already a challenging area.

Our new government now needs to provide not only the 'hard' skills of policy formulation and implementation, but also the 'soft' skills of understanding, persuasion, and communication. Determined action and clear direction coupled with effective political management could set South Africa on course towards a much more effective and appropriate approach to migration. ■

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