

STATES OF CONFLICT THE CAUSES OF FORCED MIGRATION TO THE EU

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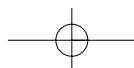
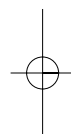
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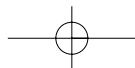
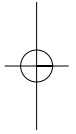
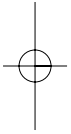
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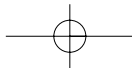
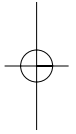
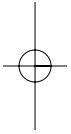
Heaven Crawley ...





Preface





Executive summary

The aim of this report is to identify the root causes of forced migration to the European Union and to examine the potential for policy initiatives in countries and regions from which forced migrants originate. Whilst the report acknowledges that not all of those who seek asylum from these countries are automatically in need of protection under the 1951 Convention relating to the Status of Refugees, its focus is on the factors associated with flows of refugees and asylum seekers and not with the individual legal interpretation of whether an individual should be recognised as a Convention refugee and allowed to remain on that basis. The underlying premise of the report is that if we are concerned about the number of asylum seekers arriving in Europe and want to address this, we must first understand the underlying factors that cause people to leave their countries of origin in the first place.

The global refugee population is currently more than 12 million. The majority of refugees worldwide come from countries hit by conflict, violence and human rights abuses including Afghanistan, Iraq, Burundi Sierra Leone, Sudan, Somalia, Bosnia, Angola, Eritrea and Croatia. The report finds that the majority of these refugees are hosted by countries outside Europe, most notably Pakistan and Iran. The overall weight of the 'refugee burden' is borne overwhelmingly by the poorest countries of the world (when measured relative to overall population and wealth). Only a very small proportion of forced migrants globally come to the countries of the European Union.

The report focuses on the situation in those countries of origin from which the largest groups of nationals came to the EU during the 1990s. An analysis of statistical data on asylum seeker flows to the EU from 1990-2000 indicates that the top ten countries of origin for this period were the Federal Republic of Yugoslavia (FRY), Romania, Turkey, Iraq, Afghanistan, Bosnia-Herzegovina, Sri Lanka, Iran, Somalia and Democratic Republic of the Congo (DRC). The two peaks in the number of asylum applications in Europe coincide with the wars in Croatia and Bosnia in 1991-93 and the war in Kosovo in 1998-99.

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'Push' factors

The report analyses the available data to identify whether countries of origin of asylum seekers to the EU have common features that may be seen as causes of forced migration, and if so, which are the most important ones. Those identified as possible key push factors include:

- Repression and/or discrimination of minorities
- Ethnic conflict and human rights abuse
- Civil war
- Numbers of internally displaced people relative to total population
- Poverty
- Position on the Human Development Index (HDI)
- Life expectancy
- Population density
- Adult illiteracy rate

Although there are difficulties in generalising country conditions across a ten-year period, the evidence presented here suggests that indicators of conflict are far more significant than indicators of development as explanatory factors for flows of asylum seekers to Europe. The report finds that repression and/or discrimination of minorities and/or ethnic conflict exist in all the top ten countries of origin. Indeed, this is the only common factor present in all the top ten refugee-producing countries. In several cases these conflicts have taken the form of all-out internal war, often leading to international humanitarian, diplomatic or even military intervention. In other cases, the issue has been one of persecution of ethnic or religious minorities by dominant groups, or by leaders using ethnicity as a way of consolidating their own power. For example, many asylum seekers from Turkey, Iraq and Iran belong to the Kurdish minority, which experiences discrimination and persecution in all three countries. Violent repression of Shi'a Muslims by the Sunni Muslim ruling group is also a cause of flight from Iraq.

Underdevelopment in itself does not appear to be a major push factor for forced migration. This undermines the commonly held assumption that the main causal factors behind increased asylum seeking in Europe are economic. Low income is to be found in only about half the countries, while high population density exists in only one. Low life expectancy is only to be found in three of the top ten countries of origin. The only social indicator of any real significance seems to be the relatively high literacy levels (over 75 per cent of the population) found in six cases, with Iran on the borderline.

However, the report notes that underdevelopment may be a crucial factor in precipitating conflict, which may in turn lead to forced migration. This is in part because underdevelopment is often associated with corrupt and/or undemocratic regimes which are in turn associated with human rights abuses and repression of particular ethnic, religious, political or social groups. An important conclusion is that it is often difficult to make clear distinctions between those in need of protection and those migrating for economic reasons from countries of origin undergoing rapid change and crisis. Many analysts agree that there are close links between underdevelopment and conflict, and hence between economic and forced migration. This 'migration-asylum nexus' constitutes a major analytical and policy challenge. Because political upheavals, economic difficulties and conflicts often occur simultaneously, many migrants have multiple motivations for moving. One consequence of this is that it is difficult and time-consuming (and therefore expensive) for individual European countries to assess the validity of asylum applications.

'Push' factors

Whilst accepting that most refugees are 'pushed' from their countries of origin and that the vast majority remain in the immediate region, the report also considers the potential 'pull factors' which may influence an individual's decision to come to Europe, and to certain countries in particular. Here, the term 'pull factors' refers to actual or perceived conditions which influence the decision to seek asylum in a given country or region. Even among those who are fleeing violence or persecution and are therefore in need of protection, there is evidence that some, although not all, asylum seekers have a degree of control

over where they go and how they travel.

In general terms, forced migrants seek asylum in the EU mainly because they need protection and want security themselves and their families. A perception that the countries of the EU offer a high level of peace and public order is undoubtedly an attraction, and democratic institutions and the rule of law constitute a particular draw for those who have been persecuted by their own governments or individuals or groups that the government is unable or unable to control. Economic factors play a part too, even for those who are genuinely in need of protection. The strong economies and developed welfare and health systems of EU Member States offer the chance of reasonable living standards for people originating in countries with high degrees of inequality, corrupt administrations and war-devastated economies. To put it even more simply, the high level of human rights and economic and social development in The EU constitutes a powerful attraction for people from the conflict zones of the South and the East. Within this overall context, geographical proximity as well as historical or cultural links have been found to pre-dispose people to seek asylum in specific countries. Past colonial links, common language and diaspora communities are very important.

The report suggests that asylum seeking is part of the dynamic social process of migration: once a migratory flow is established it may to continue even where policies in relation to asylum seekers change. This does not mean that forced migrants who exert some choice over their destination are not genuinely in need of protection. Rather it indicates that social networks and chain migration are important aspects of the process by which asylum flows are formed and maintained, and indeed may be especially vital to those who have no alternative but to leave their countries of origin in search of safety elsewhere.

EU policy

It is accepted that indicators of conflict (including repression and discrimination of minorities, ethnic violence, human rights abuses and civil war) are the most useful tools in explaining or predicting flows of asylum seekers to Europe. *States of Conflict* examines whether this understanding of the causes of forced migration is reflected in the development of a common asylum and immigration policy in the EU

and in concrete comprehensive measures designed to address the reasons why migrants are forced to leave their countries of origin and seek asylum in Member States.

Although policy approaches designed to mitigate the causes of outward migration have been on the European policy agenda since at least 1992, the report argues that there has been only modest progress since that time towards the goal of addressing the causes of forced displacement. There has been growing awareness within the EU of the need to pay attention to the root causes of forced migration, including the need for co-ordination in the fields of foreign policy, economic co-operation and immigration and asylum policy by the Community and its Member States, but this report that much of the focus at the EU level has been on tackling illegal immigration through improved co-ordination of border controls.

Three types of policy response to the increase in asylum flows to the countries of the European Union are identified:

- Policies to restrict or control entry into EU countries
- Short-term policies designed to address immediate causes in the countries of origin, including early warning, preventative diplomacy, co-operation with neighbouring states, peace-making and temporary protection in the EU, and orderly return
- Longer-term policies to address issues of conflict-prevention and development

It is suggested that only the second and third of these take us any way towards addressing the root causes of forced migration to the EU, but that EU policy formulation has been focussed largely on the first approach. The fight against illegal migration to the Member States rather than measures to address the causes of migration has been the principle focus of attention and concrete action within the EU. This has resulted in measures which include changes in procedures for asylum determination and criteria, the introduction of temporary protection regimes and a range of policies to prevent and deter asylum seekers from entering Member States. These measures make it more difficult for those who are genuinely in need of protection to seek asylum and at the same time have created a 'migration industry' of smugglers, facilitators and traffickers.

The authors of the report express concern that asylum policies in Europe remain focused on the immediate goal of preventing illegal migration and reducing the overall number of arrivals in Member States. The most important need identified is for longer-term policies designed to prevent conflict and bring about social, economic and political development. The report discusses several aspects of such policies including human rights, humanitarian action, development aid, and trade and investment. In all these areas the available evidence suggests that there is a gap between policies to prevent conflict and forced migration, and actual implementation.

Addressing the causes of forced migration means that a whole range of EU policies concerned with human rights, humanitarian action, foreign affairs, international co-operation, development assistance, trade policy and investment, are involved. Although there has been recognition of this at the level of the European Commission for some time, in practice such an approach to addressing the causes of forced migration has proved difficult to implement. This is partly because development and foreign policy objectives and priorities can differ from (and in some cases conflict with) those of home affairs ministries responsible for addressing the impacts of asylum and migration on Member States themselves. In some cases it is also because powerful economic interests stand to lose if human rights and poverty reduction policies are given priority.

In this context the report asks whether it is possible for migration, development and foreign policy in the EU to be 'joined-up' in order to focus efforts on addressing the conflict, human rights abuses, repression and underdevelopment which forces individuals and families to leave their homes in the first place. It concludes that despite the fact that there may be good reason to keep some policies separate, the current separate (and often conflicting) policies on poverty reduction, globalisation, security, refugees and migration are costly and counterproductive. The European Union has a great comparative advantage deriving from its presence in numerous geographical locations, sectors and policy field and is well positioned to take a lead in the migration-development field. This is particularly important because conflicts leading to out-migration are often the expression of failure to bring about economic and social development, to introduce democratic institutions and to safeguard human rights.

Conclusions

- There is an urgent need for ‘joined up’ policy making in which all relevant Directorates-General of the European Commission and all the Member State Governments work together to achieve agreed objectives in addressing the root causes of forced migration.
- There is an urgent need to carry out detailed comparative evaluations of the various policy tools that have been tried over the last ten years. This would make it possible to identify promising approaches and best practices, as well as to avoid repeating mistakes made in the past.
- As a mechanism for co-ordinating policy at the level of the European Union, the High Level Working Group (HLWG) needs to include expertise from all policy areas. The analysis produced by the group must be accompanied by concrete, detailed and effective policies to address the causes of forced migration in the form of specific (and measurable) policies, projects and programmes. The necessary financial and personnel resources will need to be made available to ensure implementation of its recommendations.
- There should be greater transparency about the aims and objectives of the High Level Working Group. Its focus should be on addressing the causes of forced migration rather than on curbing illegal migration to the EU. Such an approach should be protection orientated and human rights based.

The report welcomes a recent European Commission Communication which elaborates how the EU’s external policies and instruments, including development policy, can make an important contribution in addressing the underlying causes of migration flows. But it suggests that there is much more that needs to be done in translating rhetoric into reality in policy making at the European and national levels. It also cautions against attempts to link migration and development objectives through the concept of evaluating relationships between the EU and third countries according to their willingness to co-operate in the management of migration flows, particularly where this would relate to the readmission of refugees who have transited through those countries. This would serve only to further exacerbate the causes of forced migration to the EU.

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1. Introduction, background and methods

The aim of this report is to identify the root causes of forced migration to the European Union and to examine the potential for policy initiatives in countries and regions from which forced migrants originate. Policy approaches designed to mitigate the causes of outward migration have been on the European policy agenda since at least 1992, and the need for the European Union to develop a comprehensive approach to migration, addressing political, human rights and development issues in countries and regions of origin and transit, was explicitly recognised at the special meeting of the European Council held in Tampere in October 1999. Since that time there has, however, been only modest progress towards the goal of addressing the causes of forced displacement. At the Seville Summit of June 2002, the focus had clearly shifted towards tackling illegal immigration to the countries of the EU, including tying economic and development aid to compulsory readmission agreements for illegal migrants. The focus on preventing illegal migration, combined with the difficulties of reconciling the different policy areas involved (including development aid, humanitarian assistance, trade, foreign policy objectives), appears to have undermined the momentum to address the root causes of forced migration to the EU. We provide new evidence and analysis in this context on the causes of forced migration to the EU and considers whether there are policy options for addressing these that take us beyond the current conceptual and political impasse.

Chapter 1 provides some general background for understanding the issues, including definitions of categories of forced migration, and a broad overview of trends. Taking all types of forced migration together, it is clear that only a very small proportion of forced migrants attempt to migrate to the EU.¹ However, fears of increasing flows do have a certain theoretical basis, for recent migration theory emphasises the role of migration networks and transnational communities in maintaining flows once an initial group has settled in a potential receiving country.

Chapter 2 examines asylum seeker movements to the EU, and their causes. We discuss statistical data on asylum seeker flows to the EU from 1990-2000 to reveal the main countries of origin and trends in mobility between these and the EU. We look at a range of possible 'push factors', which cause out-migration from source countries. Then

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we examine 'pull factors' which influence the decision to come to the EU in general, and to certain countries in particular. We also discuss 'intermediate factors' or 'migration mechanisms', which initiate, shape and facilitate flows.

Chapter 3 is concerned with policy options including the development of a common European asylum policy, policies to limit the extent of illegal immigration to the EU and measures to address root causes in countries of origin and transit. The latter may be concerned with the immediate causes of specific migratory flows, or they may address issues of conflict-prevention and development in more long-term and fundamental ways. We conclude by discussing the difficulties in formulating policy associated with actual or perceived conflicts of interest between policies in different areas, and suggest the need for 'joined-up' policy in order to tackle the causes of forced migration.

It should be emphasised that this work is only a preliminary contribution to the debate. The availability and quality of data in this area makes it extremely difficult to provide the empirical information and analysis needed for evidence-based policy. It was initially intended that we would include an analysis of undocumented migration in the paper, since the dividing line between asylum seekers and undocumented migrants is often blurred. However, constraints of data and time made this impossible. The data presented are thus mainly concerned with asylum seekers, although other groups are mentioned in the text. The statistics used in this study only go up to the end of 2000, and so do not reflect more recent events, such as the impact of the US-led action in Afghanistan.

In addition it has been necessary to make broad generalisations about the causes of forced migration to the EU and about the effects of policies on groups of migrant. Although it is acknowledged that not all asylum seekers to the EU are genuinely in need of protection, this paper is concerned to examine the linkages between the factors associated with flows of refugees and asylum seekers and not with the individual legal interpretation of whether an individual should be recognised as a refugee under the 1951 Convention and allowed to remain on that basis. On that basis it is important to address the causes of forced migration to the EU regardless of whether or not all of the individuals migrating on that basis can be legally characterised as such.

Background and definitions

Migration to Western European countries has been an important political issue since at least the 1970s, and especially since the end of the Cold War. During the long period of economic expansion following World War II, immigration of labour from the European periphery or from former colonies was largely seen as economically valuable. This perspective changed with the oil crisis of 1973, after which time most labour-importers sought to stop further entries and to encourage repatriation. During the 1980s, however, the increasing momentum of family reunion and community formation processes indicated that 'zero-immigration' policies were not a realistic prospect. At the same time, new migration flows developed consisting largely of asylum seekers and undocumented migrant workers. These flows grew rapidly in the early 1990s, following the fall of the Berlin Wall and the collapse of the Soviet Bloc. Migration became a major issue of public and political debate, leading some observers to speak of a 'global migration crisis' (Weiner 1995). The increased incidence of racist violence and the growth of anti-immigrant extreme-right movements led some policy-makers to see immigration as a threat to public order and social cohesion, and national governments took measures to strengthen border controls. Meanwhile there were also important developments in EU policy formation, most significantly the Maastricht and Amsterdam Treaties which resulted in increased co-operation in the field of justice and home affairs and, more recently, competence in the areas of migration and asylum. By doing away with frontiers between Member States, the latter were deprived of an important national instrument for controlling and filtering the entry and identity of persons within their territory. This resulted in a strengthening of external frontiers and increasingly joint controls in immigration policy, reflected in increased co-operation between the interior and justice ministries of individual members and, more particularly, the police forces, customs and immigration services.

The international refugee regime is based on the principle of protection for those who are subject to, or fear, persecution in their countries of origin. All European Union (EU) countries are signatories to the 1951 United Nations Convention relating to the Status of Refugees ('Refugee Convention') and its 1967 Protocol. This obligates them to

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provide protection to persons who qualify under the Convention definition of a refugee (see below). Those who do not meet these strict criteria may still be offered protection on humanitarian grounds or allowed to remain for other reasons.

By contrast there is no obligation to allow those who have migrated for economic reasons to remain. By the early 1990s, however, it was clear that the distinction between these different types of migrant had become increasingly blurred, both in reality and in public and political perception. This problem stems in part from the fact that until very recently there have been few mechanisms for legitimately entering and remaining in the countries of the EU for work-related reasons. This is particularly the case for low-skilled migrants whose labour is required but for whom there is no work permit system. As a result there has clearly been some use of the asylum process to gain entry to EU Member States by those not genuinely in need of protection.

There is a further problem associated with the causes of forced migration, namely that it is often difficult to make clear distinctions between those in need of protection and those migrating for economic reasons from countries of origin undergoing rapid change and crisis. Many analysts agree that there are close links between underdevelopment and conflict, and hence between economic and forced migration.² This 'migration-asylum nexus' constitutes a major analytical and policy challenge. Because political upheavals, economic difficulties and conflicts often occur simultaneously, many migrants have multiple motivations for moving. Governments too may have multiple motivations for admitting migrants. This is not a new dilemma. Post-1945, displaced persons often had both political and economic reasons for not wanting to return to countries being taken over by Stalinist regimes. Governments such as that of Australia offered refuge because they needed labour for economic growth and people for demographic growth. Similarly, many of the migrant workers who came to France and Germany in the 1960s and 1970s were escaping authoritarian regimes in Spain, Portugal, Greece and Turkey. However, they were admitted because the receiving countries needed labour, and their protection needs were therefore not considered.

Despite this, attempts to regulate and control entry to EU Member States continue to be based largely on the idea that it is possible to distinguish clearly between different types of migrant. This has led to a

number of problems. First, attempts to discover individual motivations for migration require lengthy and costly case-by-case determination procedures. Second, measures designed to make it harder for potential asylum seekers to enter the EU (for instance through visa requirements and carrier sanctions) may make it impossible for those who are genuinely in need of protection to enter and make a claim for asylum. Third, the restrictive measures of the last decade have created a business opportunity for a new international 'migration industry', consisting both of legal advisers and agents, and illegal people-smugglers and traffickers. This unforeseen consequence of official policies leads to considerable costs and problems, both for the migrants themselves and for the receiving countries.

Forced (or involuntary) migration includes a number of legal or political categories. All involve people who have been forced to flee their homes and seek refuge elsewhere. Popular speech tends to call them all 'refugees', but officially this is quite a narrow legal category. The majority of forced migrants flee for reasons not recognised by the international refugee regime, and many of them are displaced within their own country of origin. Reasonably accurate data exist only for two categories: refugees and asylum seekers. In many complex emergencies that generate migrant flows to the EU, different types of forced migrants may be found in the same place, and many displaced people belong to more than one category.

Refugees

According to the Refugee Convention, a refugee is a person residing outside his or her country of nationality, who is unable or unwilling to return because of a 'well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion'. About 140 states have signed the 1951 Convention. Member States undertake not to return refugees to their country of origin against their will (the principle of *non-refoulement*). This may require states to grant entry and/or to provide temporary or permanent residence status. Officially recognised refugees are often better off than other forced migrants, as they have a clear legal status and associated rights, many of which are provided through the United Nations High Commission for Refugees (UNHCR).

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According to the UNHCR, the global refugee population grew from 2.4 million in 1975 to 10.5 million in 1985 and 14.9 million in 1990. A peak was reached after the end of the Cold War with 18.2 million in 1993. By 2000, the global refugee population had declined to 12.1 million (UNHCR 1995; UNHCR 2000a).³ Refugees come from countries hit by war, violence and chaos. Globally, the ten main places of origin of refugees in 1999 were Afghanistan (2.6 million), Iraq (572,000), Burundi (524,000), Sierra Leone (487,000), Sudan (468,000), Somalia (452,000), Bosnia (383,000), Angola (351,000), Eritrea (346,000) and Croatia (340,000) (UNHCR 2000c, 315).

Table 1.1 The Top Ten Refugee Hosting Countries, 2000⁴

<i>Total refugee population (000)</i>		<i>Refugee population per 1000 inhabitants (000)</i>		<i>Refugee population per US\$1m of GDP (000)</i>	
Pakistan	2002	Armenia	79.7	Armenia	172.4
Iran	1868	Guinea	58.5	Guinea	119.9
Germany	906	Yugoslavia	45.7	Tanzania	86.0
Tanzania	681	Congo	42.5	Zambia	74.9
US	507	Djibouti	36.3	Congo	62.9
Yugoslavia	484	Iran	27.6	Central Africa	52.7
Guinea	433	Zambia	27.3	Congo	47.7
Sudan	401	Liberia	21.7	Uganda	35.6
Congo	333	Tanzania	20.3	Pakistan	31.3
China	294	Sweden	17.7	Ethiopia	30.1

Table 1.1 shows the top ten refugee hosting countries in 2000 according to three different criteria. The first column shows the total refugee population. Pakistan and Iran have by far the largest refugee populations, mainly from Afghanistan. Africa figures prominently in the Table, but the USA is also in the list, together with two European countries: Germany and the Federal Republic of Yugoslavia (FRY). However, to understand the weight of the 'refugee burden', it is more useful to relate refugee population to overall population in host countries. This is shown in the second column of Table 1.1, which consists mainly of very poor countries, with the sole exceptions of FRY and Sweden. Even more instructive is to relate refugee

populations to the wealth of the receiving country (third column). This list does not include a single developed country and indicates that refugees are overwhelmingly concentrated in the poorest countries.

Asylum-seekers

These are people who move across international borders in search of protection, but whose claims for refugee status have not yet been decided. Annual asylum applications in Western Europe, Australia, Canada and the USA combined rose from 90,400 in 1983 to 323,050 in 1988, and then surged again with the end of the Cold War to peak at 828,645 in 1992 (UNHCR 1995, 253). Altogether, five million asylum seekers entered western countries from 1985-95 (UNHCR 1997, 184). Applications fell sharply to 480,000 in 1995, but began creeping up again to 534,500 in 2000 (OECD 2001, 280).⁵ The number of asylum seekers in EU countries closely reflects the outflows and (subsequent return) of large numbers of people from the former Yugoslavia but also the introduction of restrictive measures in several countries. After the 1992 peak of 670,000 applications there were falls in asylum applications following changes in refugee law in Germany (438,200 applications in 1992, but only 127,900 in 1995) and Sweden (84,000 in 1992, 9,000 in 1995). Applications were at a low of 226,000 in 1996, but then started to grow again, reaching about 450,000 by 2000. The UK had relatively few asylum seekers in the early 1990s, with 32,300 in 1992, but numbers increased at the end of the decade to 55,000 in 1998 and 97,900 in 2000 (OECD 2001, 280). Although the living conditions for asylum seekers in EU countries have become increasingly hostile (both economically and socially), many wait several years whilst their claims are determined, and although a substantial proportion of applications are eventually refused, the vast majority remain in the country to which they have migrated, often because they cannot be returned.

Internally displaced persons (IDPs)

IDPs are generally defined as 'persons who, as a result of persecution, armed conflict or violence, have been forced to abandon their homes

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and leave their usual place of residence, and who remain within the borders of their own country' (UNHCR 1997). It is estimated that the number of IDPs world-wide rose from 1.2 million in 1982 to 14 million by 1986, and to over 20 million by 1997 (Cohen and Deng 1998). The number of countries with IDP populations increased from five in 1970 to 34 in 1996 (UNHCR 1997, 120).⁶

The increase is partly due to new types of wars that deliberately target civilian populations. Indeed mass displacement of the population may be a deliberate instrument of warfare, as in Bosnia, Kosovo, Chechnya, Rwanda or Myanmar. The long-lasting war in Sudan between the Muslim-Arab North and the African-Christian South has generated four million IDPs. Other major IDP populations in 1996 were in Turkey (500,000 – 1 million), Afghanistan (1.2 million), Angola (1.2 million), Bosnia (1 million), Myanmar (500,000 – 1 million), Liberia (1 million), Iraq (900,000), Sri Lanka (900,000) and Colombia (600,000) (Cohen and Deng 1998, 33). In Sri Lanka, Angola and the Sudan, some people have lived as IDPs – often in great insecurity and poverty – for over 20 years.

IDPs are more numerous than refugees, yet are often without any effective protection or assistance. There is no international legal instrument specifically designed to protect them, although they are covered by general human rights conventions and international humanitarian law.

Development displacees

These are people compelled to move by large-scale development projects, such as dams, airports, road and urban housing. The World Bank – which funds many such projects – estimates that they displace an average of ten million people per year. Growing awareness of the problem in the 1980s led the World Bank to impose conditions on its loans designed to ensure compensation and appropriate resettlement (McDowell 1996). Millions of development displacees experience permanent impoverishment, and end up in a situation of social and political marginalization (Cernea and McDowell 2000). Development displacees constitute another group larger than official refugee populations, for whom there is no protective regime.

Environmental and disaster displacees

This category includes people displaced by environmental change (desertification, deforestation, land degradation, water pollution or inundation), by natural disasters (floods, volcanoes, landslides, earthquakes), and by man-made disasters (for example, industrial accidents or radioactivity). A report by environmentalist Norman Myers in 1995 claimed that there were at least 25 million environmental refugees, that the number could double by 2010, and that as many as 200 million people could eventually be at risk of displacement (Myers 1997; Myers and Kent 1995). Refugee experts reject such apocalyptic visions, and argue that their main purpose is to shock western governments into taking action to protect the environment. Indeed some have argued that the emphasis on environmental factors is a distraction from central issues of development, inequality and conflict resolution (Black 1998; Black 2001). Black argues that there are no environmental refugees as such and that while environmental factors do play a part in forced migration, they are always closely linked to social and ethnic conflict, weak states and abuse of human rights. In addition it is often impossible to distinguish clearly between natural and man-made disasters with consequent implications for the process of categorising those who are displaced.

People-trafficking and smuggling

An additional form of forced migration that may operate distinctly from, or in tandem with, the types of forced migration outlined above, is the trafficking of people across international boundaries. It is important to distinguish between people-trafficking and people-smuggling:

Smuggled migrants are moved illegally for profit; they are partners, however unequal, in a commercial transaction... By contrast, the movement of trafficked persons is based on deception and coercion and is for the purpose of exploitation. The profit in trafficking comes not from the movement but from the sale of a trafficked person's sexual services or labour in the country of destination. (Gallagher 2002, 25)

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The trafficking of women and children for the sex industry is perhaps the most documented (although not well understood) example of this type of forced migration. There is evidence that it occurs across many different regions: among Thai and Japanese gangsters there is collaboration to entice women into prostitution in Japan by claiming that they will get jobs as waitresses or entertainers; victims of civil war and forced displacement in former Yugoslavia, Georgia or Azerbaijan are sold to brothels in Western Europe; women in war zones are forced into sex-slavery by combatant forces, or sold to international gangs. It is impossible to quantify the number of people affected by trafficking and smuggling, but both are widespread practices.

The most relevant categories for this paper are refugees, asylum seekers and IDPs. Development displacement and environmental displacement are not relevant criteria in seeking asylum, and there is no evidence that many such persons come to the EU (although it is possible that they are represented amongst migrants with multiple motivations). Trafficking, though conceptually a form of forced migration, is more a migration mechanism than a causal factor in itself.

This statistical overview also suggests that policies to tackle the causes of forced migration to the EU must be concerned not only with the actual countries of origin of asylum seekers, but also with transit countries and countries of first asylum. There are many long-standing refugee populations around the world, including, for example, the Palestinians throughout the Middle East, Afghanis in Pakistan and Iran, Burundians in Tanzania, Somalis in Kenya, Sudanese in Uganda, and Burmese in Thailand and Bangladesh. Some of these groups have been in exile for up to half a century, and new generations have grown up in camps. The result is often conditions of impoverishment, isolation and hopelessness. Asylum and transit countries often lack the resources to cope, and the result can be conflict and destabilisation. Some refugees in such situations seek to rebuild their lives by moving to EU countries. As will be discussed in Chapter 3, conditions in such countries are an important focus for EU policy.

Questions and methods

The research for this project set out to examine the following questions:

- What were the main countries of origin of asylum seekers entering the EU from 1990-2000?
- Were there steady flows throughout the period, or were there fluctuations connected to specific events?
- What were the main 'push factors' (the reasons why people left their countries of origin)?
- What were the main 'pull factors' (the reasons why the EU as a whole or specific EU countries attract asylum seekers)?
- What were the main 'intermediate factors' (the social relationships or mechanisms that facilitated migration)?
- Can conflict prevention measures reduce the pressure on people to flee their country of origin?
- Can humanitarian action reduce the pressure for forced migration?
- Can development policies reduce the pressure for forced migration?
- What are the effects of broader dimensions of relationships between the EU and the developing world in encouraging or reducing forced migration?
- How can migration be managed in such a way as to benefit both countries of origin and EU destination countries?

The data presented in this report refer mainly to asylum-seekers making applications in 14 EU countries from 1990-2000 (referred to as EU14). The figures are taken principally from UNHCR reports, which in turn are based on figures submitted by national governments. All the current Member States except Luxembourg are covered. In accordance with our position that it is not always possible to make a clear distinction between forced and economic migrants, we should have also included data on undocumented or irregular migrants, but this proved impossible

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because no accurate figures exist. Information on some groups of regular legal migrants might also be relevant, but would require considerable work to identify statistical sub-categories that might be of interest. The limitations of the available data are clearly a constraint on the analysis of the causes of forced migration and on the ability of governments to engage in evidence-based policy-making. However it is important to make the best of what is available, while being aware of its limitations. As previously indicated, we are not able to provide definitive answers to the complex questions listed above but we hope the research can provide the basis for further discussion and analysis.

Our approach is to examine fluctuations in asylum-seeker movements from the 'top ten' countries of origin to the EU14 over the 11 years from 1990-2000 inclusive. A similar procedure is followed with the 'top ten' for each EU country. In each case we present two summary tables and a chart of movements. We then attempt to work out the causes of movement, starting with 'push factors'. We discuss a range of possible indicators, and present data and background information on these for the top ten countries of origin. We then briefly mention some 'pull' and 'intermediate' factors. As indicated earlier, we are concerned not with individual motivations for seeking asylum but with flows of forced migrants. In line with the aims of this report, our discussion of these factors is more limited.

This framework and analysis provides the basis for an examination of current policies in the EU and possible future options for addressing the causes of forced migration.

2. Asylum seeker movements and their causes

Patterns of asylum seeker movements to the EU

In this chapter, we briefly present the key findings of the data analysis.⁷ Table 2.1 (overleaf) presents figures on the first 18 main countries of origin of asylum seekers for EU14. The figures are ranked by size for the aggregate of the 11 years covered. In addition, at rank 11, is the category 'various', for persons whose country of origin is unknown. Figures 2.1 and 2.2 (overleaf) present the same data just for the top ten countries of origin. The top ten countries of origin for the period 1990-2000 were Federal Republic of Yugoslavia (FRY), Romania, Turkey, Iraq, Afghanistan, Bosnia-Herzegovina, Sri Lanka, Iran, Somalia and Democratic Republic of the Congo (DRC).

The table and figures both show the dominance of former Yugoslavia as a country of origin with 836,000 asylum seekers over the period. The two peaks of asylum seekers from the FRY coincide with the wars in Croatia and Bosnia in 1991-93 and the war in Kosovo in 1998-99. The next country of origin is Romania, with a total of just under 400,000 concentrated overwhelmingly in the early part of the 1990s, at a time of marked persecution of Roma and other ethnic minorities. Next comes Turkey, with 356,000 asylum seekers quite evenly distributed across the period. Most appear to be Kurds, fleeing violent conflicts involving government forces in areas of supposed support for the Kurdish separatist party, the PKK.

Figure 2.1 presents the material on the top ten countries of origin on a different scale to Figure 2.2, to allow better differentiation of those countries of origin ranked 6-10. All these countries show considerable fluctuations, linked to the development of internal conflicts and civil wars in the countries concerned. Together the top ten countries of origin accounted for about 2.5 million asylum seekers entering the EU from 1990-2000. This is 59 per cent of the total of 4.4 million asylum seekers in the period. Just over one third of these asylum seekers came from three European countries: FRY, Romania and Bosnia-Herzegovina.

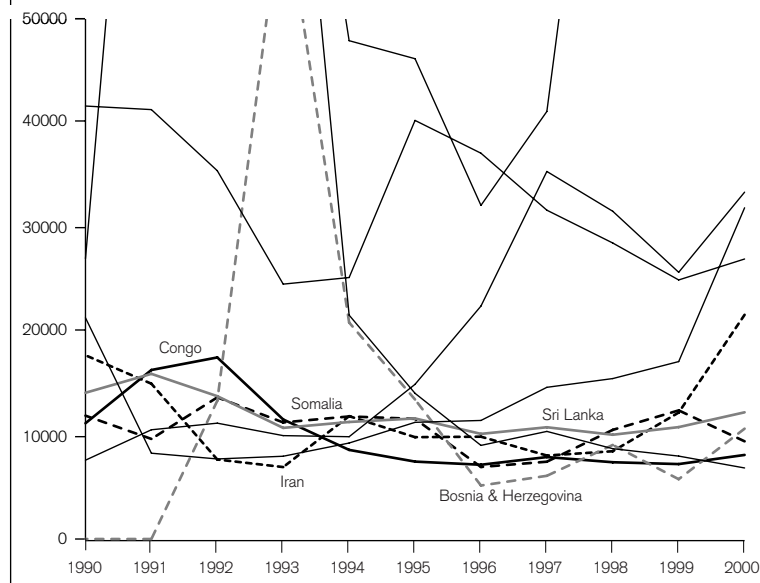
These ten countries represent the countries of origin for the highest numbers of arrivals on average for all 14 EU states over a period of 11

Table 2.1 Asylum applications from 18 main countries of origin (inc unknown origin) to EU14 countries, 1990-2000

<i>Origin</i>	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	<i>Total</i>
Yugoslavia	26828	99967	210907	88228	47683	45957	31925	40912	89148	103167	50803	835525
Romania	60028	58952	115556	87145	21422	13941	8957	10297	8643	7933	6798	399672
Turkey	41429	41088	35240	24388	25019	40054	36916	31464	28322	24788	26794	355502
Iraq	7543	10453	11085	9892	9789	14801	22290	35170	31360	25521	33189	211093
Afghanistan	21167	8211	7660	7920	9185	11165	11344	14515	15353	16978	31692	155190
Bosnia and Herzegovina	0	0	13231	62000	20717	13348	5119	6047	9001	5723	10558	145744
Sri Lanka	13993	15805	13667	10632	11198	11537	10060	10693	9975	10707	12123	130390
Iran	17583	14860	7608	6883	11755	9745	9791	7987	8398	12101	21455	128166
Somalia	11802	9577	13551	11155	11728	11498	6892	7397	10443	12307	9347	115697
Unknown	6259	12348	7751	1720	2215	1709	3973	940	1144	40504	30983	109546
Congo	11078	16173	17373	11435	8526	7409	7104	7840	7346	7169	8043	109496
Bulgaria	12188	16648	33762	25131	5243	3465	2915	3114	1429	1387	2160	107442
Pakistan	9163	12360	8935	6164	5553	9311	7094	7346	6557	7610	8226	88319
India	10002	10815	9559	9266	5945	8853	6941	5435	4693	5639	8016	85164
Nigeria	7812	11889	12575	4199	6183	8679	6067	4981	5464	4497	6954	79300
Russian Federation	4706	10000	9498	8534	4450	4416	4591	5123	5595	7205	11577	75695
Viet Nam	13325	11471	13567	12249	4121	3554	2621	3374	4586	3513	3124	75505
Algeria	1454	1864	8735	13149	7291	8152	4694	6035	7934	7572	7368	74248

years. This list of top ten countries of origin varies from year-to-year and from one EU country to the next. For some individual years during the 11-year period, other countries of origin also appear in the top ten: for example China, Vietnam, Algeria and Nigeria.

Figure 2.1 Asylum applications to EU14 countries from 10 main countries of origin, 1990-2000 (vertical scale to 50,000)



The next ten countries of origin are Bulgaria, Pakistan, India, Nigeria, Russia, Vietnam, Algeria, China, Albania and Lebanon. Together they account for 774,000 entrants in the period: 18 per cent of all asylum seekers. Of these just under a quarter were from European countries, if Russia is not included. If Russia is counted as Europe, the share goes up to one third.

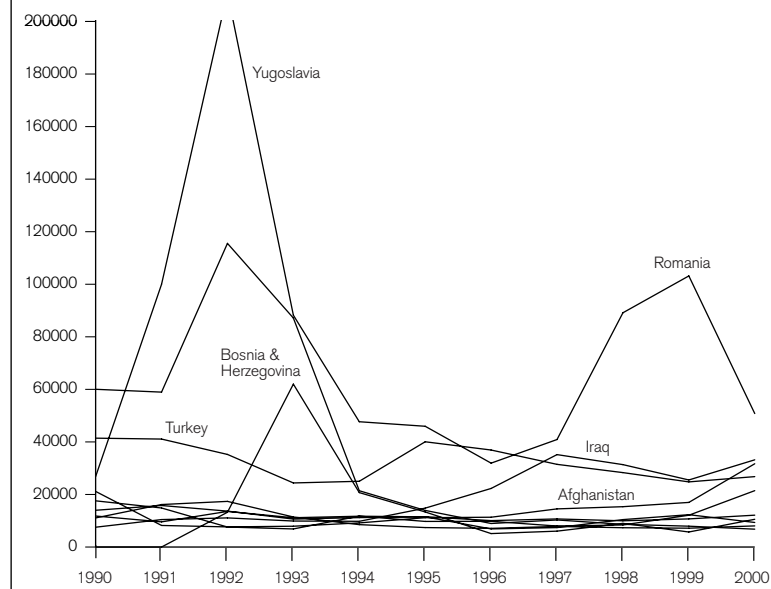
The top 20 countries together make up 77 per cent of all asylum seekers entering the EU in the 11-year period. Understanding the causes in these countries of origin would therefore go a long way towards explaining the forced migration phenomenon as it affects the EU. However for reasons of time and resources, we focus on just the top ten. It is our view that the diverse profiles of the top ten are reasonably representative of the sending countries as a whole. It is possible that

further investigation would offer different conclusions about push factors for the second ten countries of origin.

There is no space for a detailed analysis of the figures for each country here. In general, the top ten countries for the EU appear in each individual country, usually in the top 15 countries of origin. However, there are significant national variations. These appear to be linked to a number of factors. The first is geographical position (or proximity): countries towards the eastern borders of the EU are more likely to receive asylum seekers from Eastern Europe, such as Russians and Bulgarian in Finland and Austria. Southern EU countries like Greece and are more likely to receive asylum seekers from south-eastern Europe (Albania, Romania) or the Middle East (Iraq, Iran). The second factor is pre-existing links, especially through a former colonial presence. Belgium is host to many asylum seekers from the DRC, its former colony of the Congo; France has many from Mali and Mauritania.

However, other flows are harder to explain. Why was there such a significant flow to France from Moldova in the mid-1990s? Why was there an influx of Slovaks to Finland in the late 1990s? Why the upsurge

Figure 2.1 Asylum applications to EU14 countries from 10 main countries of origin, 1990-2000 (vertical scale to 200,000)



in Nigerian and Romanian asylum seekers entering Ireland at the end of the decade? The explanations are complex and often country-specific. Part of the reason is chain migration: once a group gets established it tends to be a more preferable destination for compatriots. Another is probably that people-smugglers discover new opportunities and target specific destinations. Other, more local, causes need detailed examination.

Push factors

The aim of the analysis in this section is to identify whether countries of origin of asylum seekers to the EU have common features, which may be seen as causes of forced migration, and if so, which are the most important ones among these. We have identified the following as possible key push factors:

1. Repression and/or discrimination of minorities, ethnic conflict and human rights abuse
2. Civil war
3. Numbers of IDPS relative to total population
4. Poverty
5. Position on the Human Development Index (HDI)
6. Life expectancy
7. Population density
8. Adult illiteracy rate

The first three factors relate directly to persecution and conflict. We should expect these to be significant, since forced migration is generally a survival strategy in the face of threats to life and personal safety. Factors 4, 5 and 6 are indicators of underdevelopment, and would be important if migration were mainly economically motivated. Factor 7 needs to be considered, as some analysts claim that both economic and forced migration are linked to high population density. Factor 8 relates to the importance of human capital in giving people the ability to migrate. It is obviously significant for economic migration, but should be less so for forced migration.

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Factor 1: Repression and discrimination of minorities, ethnic conflict and human rights abuse

Given that there is no single statistical indicator for this type of conflict, we have used reports produced by the Immigration and Nationality Directorate of the UK's Home Office, the US Department of State, and the US Committee for Refugees. These indicate that repression and/or discrimination of minorities and/or ethnic conflict exist in all the top ten countries of origin. This is indeed the only common factor in all the cases. In several cases (see Factor 2) these have taken the form of all-out internal war, often leading to international humanitarian, diplomatic or even military intervention. In other cases, the issue has been one of persecution of ethnic or religious minorities by dominant groups, or by leaders using ethnicity as a way of consolidating their own power. Most asylum seekers from Romania belong to the Roma (or gipsy) minority. Intense persecution of this group after the collapse of the Ceaucescu regime in 1989 led to a mass exodus, mainly to Germany. The improvement of the human rights situation in the late 1990s has led to reduced emigration. Many asylum seekers from Turkey, Iraq and Iran belong to the Kurdish minority, which experiences discrimination and persecution in all three countries. Violent repression of Shi'a Muslims by the Sunni Muslim ruling group is also a cause of flight from Iraq. Identifying ethnic conflict as a key factor does not imply that we see ethnicity itself as an explanation for conflict. Rather ethnicity has often become a label that covers a multitude of underlying divisions in society; indeed, a more appropriate term might be 'political conflict that takes on an ethnic form'. This point is further developed below.

One element may also be worthy of particular mention is the repression of, or discrimination against, women who whilst clearly not a minority in numerical terms often experience a disproportionate lack of power in society and may have particular protection needs as a consequence. Gender-based violence plays a major part in many ethnic conflicts and internal wars, often exacerbated and/or justified on the basis of social norms and mores regarding women's behaviour and status in society. Systematic rape of women on the basis of ethnic group belonging or minority status took place in Bosnia, Rwanda and many other places in the 1990s. Domestic violence and female genital

mutilation are on-going phenomena in many societies – often closely linked to underdevelopment, lack of the rule of law and deprivation of human rights.

Factor 2: Civil war

Major internal wars have occurred or continued in the period 1990-2000 in FRY, Afghanistan, Bosnia-Herzegovina, Iraq, Sri Lanka, Somalia and DRC. In the case of Turkey it could also be argued that the repression of minorities has taken on the intensity of internal warfare. Some of the conflicts are at least in part hangovers from the proxy wars of the Cold War period. The conflicts in Eastern and South-eastern European countries are linked to problems of transition following the collapse of the Soviet Bloc. Although not completely resolved it seems possible that these issues are being worked through and losing intensity. Ethnic conflict is the universally-present factor, but is often a surrogate for other problems: political entrepreneurs have used ethnicity in the post Cold War period as an effective tool of mobilisation, but the underlying aims are often economic or political (Gallagher 1997; Turton 1997).

This key role of ethnic mobilisation fits in with the observation that the ideological conflict of the bi-polar world order has been replaced by more localised conflicts connected with identity struggles, ethnic divisions, problems of state formation and competition for economic assets. But internal wars are simultaneously transnational as they involve diaspora populations, foreign volunteers and mercenaries, and international intervention forces. They also draw in international journalists, UN aid organizations, NGOs, and regional organizations like the Organisation for African Unity (OAU) or the Organisation of American States (OAS).

International economic interests (such as the trade in oil, diamonds or small arms) also play a part in starting or prolonging local wars. What Mary Kaldor calls the 'new wars' arise mainly in the context of weak or disintegrating states, which have lost (or never had) a monopoly of the means of violence. The means of warfare have also changed. The protagonists are not large standing armies but irregular forces. The aim is not control of territory, but political control of the population. Mass population expulsion is often a strategic goal, which

is why the new wars have led to such an upsurge in forced migration (Kaldor 2001). Ninety per cent of those killed are civilians. Both government forces and insurgents use exemplary violence including torture and sexual assault as means of control. Genocide and ethnic cleansing are systemic elements of the new form of warfare, rather than expressions of 'age-old hatreds' (Summerfield 1999).

Although conflict-induced displacement is not a new phenomenon, its nature and the numbers of people affected have changed. During the Cold War most of those displaced by conflict fled across a border in search of refuge. Subsequently, the numbers of internally displaced persons have surpassed those of refugees, largely as a result of elevated levels of internal conflict. The end of superpower rivalry has given way to a 'resurgence of pent-up internal conflicts' (Duffield 2001). While internal displacement is also not something new, the changed political environment of the post-Cold War era has allowed greater scope for international concern. However, addressing the plight of those affected, and preventing it happening in the first place, often involves tackling sensitive issues around sovereignty and continues to challenge the international community.

Factor 3: Numbers of IDPs relative to the total population

A large population of internally displaced persons (IDPs) in a country can provide a reservoir of people who might want to improve their lives through seeking asylum in the EU.

Table 2.2 Internally Displaced Persons (IDPs) in 2000⁸

	<i>Total IDPs</i>	<i>IDPs per 1000 of population</i>
Yugoslavia	480,000*	45
Romania	0**	n/a
Turkey	400,000-1m*	6-16
Iraq	700,000*	31
Afghanistan	375,000	14
Bosnia and Herzegovina	518,000	133
Sri Lanka	600,000	32
Iran	0**	n/a
Somalia	300,000	32
DRC (Zaire)	1,800,000*	36

All the top ten countries except Romania and Iran have substantial IDP populations. Clearly there is a link between IDPs and asylum seeking, although an IDP population is not a root cause, but rather a symptom of conflict within a country. IDP populations alone cannot explain asylum seeking in the EU, for there are many countries with huge IDP populations, which do not move to the EU (see Chapter 1).

Factor 4: Poverty as reflected in per capita income

As was indicated earlier, it is often difficult to make clear distinctions between those in need of protection and those migrating for economic reasons from countries of origin undergoing rapid change and crisis. This is partly because of the circumstances in countries from which asylum seekers originate but also because in the absence of alternative channels for legal economic migration some migrants have claimed asylum as a mechanism to remain in EU states. Whilst this is undoubtedly true of some migrants, the perception of both government officials and the public is that it is the case for the majority of asylum seekers. If so, it would be anticipated that asylum seekers would come primarily from poor countries with large unemployed populations. One way of assessing the extent to which this is the case is to examine the GDP per capita of the main sending countries. The figures in Table 2.3 are based on 'purchasing power parities' (PPP), that is they are corrected to indicate relative living standards. Unfortunately, data is not available for all ten countries.

These figures do not indicate a clear or self-evident relationship between low income and a propensity to seek asylum in the EU. Asylum seekers come from both middle-income countries like Turkey and Iran, and from low-income countries like Afghanistan, Somalia and DRC. Of course, there are many countries in the world with low per capita income, which are not source countries for asylum seekers. Although poverty underlies much current migration it is not the direct cause of it. Indeed given that mobility requires a minimum of resources and network connection it is usually not the poorest of the poor who migrate. International migrants (including forced migrants) usually do not come from poor, isolated places disconnected from global relations, but rather from countries or regions within countries that are undergoing rapid change as a consequence of their incorporation into

Table 2.3 GDP per capita (US\$) in 1992 and 1999^a

	<i>GDP per capita (US\$)</i>	
	1992	1999
Yugoslavia	–	–
Romania	2,840	6,041
Turkey	5,230	6,380
Iraq	3,413	–
Afghanistan	819	–
Bosnia and Herzegovina	–	–
Sri Lanka	2,850	3,279
Iran	5,420	5,531
Somalia	1,001	–
DRC (Zaire)	523	801

global trade, information and production networks (Nyberg-Sørensen, Van Hear, and Engberg-Pedersen 2002)

However, the figures should not be interpreted as indicating the absence of a link between the economic situation and forced migration. Rather the link appears to be more complex, requiring detailed analysis. For instance, relative deprivation might be more relevant than absolute income levels: where income has declined or inequality increased due to economic problems this might lead to out-migration, even if absolute income is at relatively high levels. Similarly, economic problems may precipitate political crisis and ethnic conflict, as some scholars have argued for Yugoslavia (Schierup 1993). The figures for Romania are interesting, as they indicate a strong growth in income from 1992 to 1999, which coincided with a decline in out-migration. This indicates that economic improvement may be linked to reduced levels of asylum seeking in the EU. This evidence suggests that economic factors are relevant to asylum seeker flows to the EU but not in self-evident or obvious ways.

Factor 5: Position on Human Development Index (HDI)

A more sophisticated measurement of development and social well-being is provided by the UN Development Programme's (UNDP) Human Development Index (HDI) as shown in Table 2.4, which assigns countries an HDI-value on the basis of a range of indicators

Table 2.4 HDI values and rankings for 1995 and 1999¹⁰

	<i>HDI value</i>		<i>HDI ranking</i>	
	<i>1995</i>	<i>1999</i>	<i>1995</i>	<i>1999</i>
Yugoslavia	–	–	–	–
Romania	0.703	0.772	98	58
Turkey	0.792	0.735	66	82
Iraq	0.617	–	106	–
Afghanistan	0.228	–	170	–
Bosnia and Herzegovina	–	–	–	–
Sri Lanka	0.704	0.735	97	81
Iran	0.770	0.714	70	90
Somalia	0.246	–	166	–
DRC (Zaire)	0.384	0.429	143	142

including: longevity, as measured by life expectancy at birth; educational attainment; and standard of living. We have used figures for 1995, when 174 states were included in the HDI, and for 1999, when 162 states were included.

As with our analysis of the data on per capita income, Table 2.4 indicates that there is no clear or self-evident link between HDI scores and asylum flows to the EU. None of the sending countries are high on the HDI, but several are at an intermediate level, notably Romania, Turkey, Iran and Sri Lanka. Somalia, Afghanistan and DRC are very low on the HDI. There are many countries with low HDI scores that are not significant source countries for asylum seekers to the EU.

Underdevelopment in itself does not appear to be a major push factor for forced migration. Again, we would speculate that there are links, but that they are more complex in nature. It is well established in migration theory that most economic migrants do not belong to the very poorest strata in the lowest-income countries. Rather migrants tend to come from intermediate groups, who have the economic and cultural capital needed for mobility. The source countries are often those experiencing the early stages of development and connection with global economic networks. By contrast, refugees and IDPs tend to flee out of desperation, and often include the very poorest people from very poor countries. However, such people are likely to remain in the region of displacement, as they lack the resources to move further. It is likely that asylum seekers who come to the EU are self-selected: they tend to

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be people with skills and resources, rather than the most deprived. This explains why relatively few refugees from some of the world's largest displaced populations – such as Burundi, Sierra Leone, Sudan and Angola – have come to the EU.

It is perhaps helpful to separate between why people leave their countries, and why they arrive in the EU. Refugees and many asylum-seekers flee their countries of origin because of persecution or threats to their very existence. They often seek immediate protection in neighbouring countries. However, many countries of first asylum cannot offer effective protection or assistance, due to their own political and economic difficulties. Those who are displaced may therefore continue their journey and during this process a certain selection takes place: those with the greatest financial resources and human capital are more likely to move onwards, and a small proportion of these will seek protection in the developed world. Existence of diasporas or social networks in potential destination countries supports this process.

It may also be argued that underdevelopment is a crucial factor in precipitating conflict. The HDI measures not only economic factors in development, but also education and health. Poor performance in these areas is often linked to a limited capacity to achieve future development. Often the underlying causes include inefficient administration, corruption and authoritarian rule. Such conditions both perpetuate underdevelopment and precipitate conflict. Western governments and international development agencies have become increasingly aware of the links between economic failure and internal conflict. Stability and security are seen as the precondition for development. Thus development assistance has been repackaged as a structural form of conflict prevention. While empirical evidence remains uncertain, it is clear that 'the idea that conflict destroys development and deepens poverty plays an important role in mobilising the strategic complexes of liberal peace' (Duffield 2001).

Factor 6: Life expectancy

We now turn to some demographic and social indicators thought by some to be possible causes of forced migration. Table 2.5 presents data for factors 6, 7 and 8.

Table 2.5 Population density, illiteracy and life expectancy at birth¹¹

	<i>Population density</i>	<i>Adult illiteracy (% of population)</i>		<i>Life expectancy at birth</i>	
		1992	1999	1992	1999
Yugoslavia	104	–	–	–	72
Romania	97	3	2	70	70
Turkey	84	19	16	67	70
Iraq	52	45	46	66	59
Afghanistan	40	71	65	44	46
Bosnia and Herzegovina	76	–	–	–	73
Sri Lanka	294	11	9	72	73
Iran	39	35	26	68	71
Somalia	15	73	–	47	48
DRC (Zaire)	22	26	41	52	51

Low life expectancy can be taken as indicative of underdevelopment, poor health conditions and poor nutrition. However, the figures presented in Table 5 indicate no clear similarities or patterns in relation to the life expectancy associated with the top ten producing countries. Life expectancy ranges from very low in Afghanistan, Somalia and DRC to relatively high in FRY, Romania, Turkey, Bosnia-Herzegovina, Sri Lanka and Iran. High mortality and low life expectancy could obviously be a result of protracted conflict, as is probably the case in the countries mentioned, but is notable that relatively high life expectancy has been maintained in certain conflict areas.

Factor 7: Population density

The figures on population density for the ten case study countries show considerable variation, ranging from high density in Sri Lanka, through intermediate levels in most of the countries, to low density in DRC and Somalia. Population density in itself seems to have no explanatory value. However, it might be argued that it is not population density itself, but rather population growth that is important. Some analysts claim that rapid population growth is leading to resource competition, economic decline and conflict in many less developed countries. This notion is indeed behind much of the alarm at the so-called 'global migration crisis' (Zolberg 2001). To examine this relationship, Kritz

carried out a quantitative analysis of demographic indicators in countries of origin of migrants to the USA. She found:

no support for the claim that population growth drives US immigration. Indeed, migrants are more likely to come from countries with low to moderate population growth rates rather than...from countries with the highest growth rates (Kritz 2001, 36)

She also found no link between total fertility rates or population density and migration. The only significant link was between population size and migration: in other words large countries like China and India sent more migrants. Kritz's analysis concerns all migrants, not just forced migrants, but is likely to be valid for this category too.

Factor 8: Adult illiteracy rate

A high degree of literacy might be seen as conducive to economic migration as it enables potential migrants to obtain the 'cultural capital' (that is the knowledge of opportunities and mechanisms of migration) needed for mobility. The figures presented on adult illiteracy in Table 2.5 show considerable fluctuations, from very low in Sri Lanka and Romania, to very high in Iraq, Afghanistan and Somalia. However, most of the countries have reasonably high literacy (defined here as illiteracy rates of less than 25 per cent of the population).

Relative importance of the push factors

Having analysed the available statistical data in relation to each of the potential push factors identified above, it is now possible to assess their relative importance in relation to the patterns of forced migration and flows of asylum seekers to the EU which were described in Chapter 1. Table 2.6 attempts to summarise which factors are present or absent in each country of origin. A number of assumptions have been made for indicators for which we have no hard data (such as GDP in FRY). HDI scores are not included in this table, as they are a composite of other factors.

Table 2.6 Presence of push factors in top ten countries of origin of asylum seekers coming to EU countries (1990-2000)¹²

	1	2	3	4	5?	6	7	8
Yugoslavia	x	x	o	o		o	o	o
Romania	x	o	o	o		o	o	o
Turkey	x	o	o	o		o	o	o
Iraq	x	x	x	x		o	o	o
Afghanistan	x	x	x	x		x	o	o
Bosnia and Herzegovina	x	x	x	o		o	o	x
Sri Lanka	x	x	x	x		o	x	x
Iran	x	o	o	o		o	o	x
Somalia	x	x	x	x		x	o	o
DRC (Zaire)	x	x	x	x		x	o	o

1 Repression and/or discrimination of minorities, ethnic conflict and human rights abuse

2 Civil war

3 Numbers of IDPS relative to total population

4 Poverty

5 Position on the Human Development Index (HDI)

6 Life expectancy

7 Population density

8 Adult illiteracy rate

x significant factor

o not a significant factor

Although there are difficulties in generalising country conditions across the time period of a decade, the evidence presented in Table 2.6 suggests that indicators of conflict are far more significant than indicators of development as explanatory factors for flows of asylum seekers to the EU. Repression and discrimination of minorities, ethnic conflict and human rights abuse are the only factors present in all the top ten sending countries. Civil wars are present in six cases. A high number of IDPs is to be found in seven cases. Low income is to be found in only about half the countries, while high population density exists in only one, Sri Lanka. Low life expectancy is only to be found in three of the top ten countries of origin. The only social indicator of any real significance seems to be the relatively high literacy levels (over 75 per cent of the population) found in six cases, with Iran on the borderline.

This analysis suggests that it is the existence of conflict in a country – including the repression and discrimination of minorities, ethnic

conflicts and civil war – that is the primary underlying cause of forced migration to the EU. Economic and other developmental factors would appear to be less significant factors in explaining flows from particular countries. This is not to say that all of those who seek asylum in the EU who originate from these countries are in need of protection. Some of those who seek asylum in the EU may not be genuinely in need of protection but are unable to enter for economic reasons through any other channel. Others may arrive (either as asylum seekers or migrants) as a result of a chain migration process some time after the initial conflict that triggered the principle flow of those in need of protection. However, this report is not concerned with the legitimacy or otherwise of individual claims. Rather, it is concerned with establishing whether there are general causal connections between the principle nationalities constituting asylum flows to the EU and conflict situations in countries of origin, and this would certainly appear to be the case. At the same time, a rigid distinction between conflict and development may be misleading not least because conflict can itself be an expression of underdevelopment or of a failed development strategy. As Chapter 3 suggests, this may be an important consideration in formulating strategies for conflict prevention and migration management.

Pull factors

In examining the factors that lead people to leave their countries of origin, we can identify the potential of EU policy initiatives designed to address the causes of forced migration. Within this framework of forced migration, there are nonetheless a number of ‘pull’ factors which may, to a greater or lesser extent, determine the country to which an individual travels in order to seek asylum. In the context of this study, the term ‘pull factors’ refers to actual or perceived conditions which influence the decision to seek asylum in a given country or region. Even among those who are fleeing violence or persecution and are therefore in need of protection, there is evidence that some, although not all, asylum seekers have a degree of control over where they go and how they travel.¹³

In general terms, forced migrants seek asylum in the EU mainly because they need protection and want security themselves and their families. A perception that the countries of the EU offer a high level of

peace and public order is undoubtedly an attraction, and democratic institutions and the rule of law constitute a particular draw for those who have been persecuted by their own governments or individuals or groups that the government is unable or unable to control. Economic factors play a part too, even for those who are genuinely in need of protection. The strong economies and developed welfare and health systems of EU Member States offer the chance of reasonable living standards for people originating in countries with high degrees of inequality, corrupt administrations and war-devastated economies. To put it even more simply, the high level of human rights and economic and social development in The EU constitutes a powerful attraction for people from the conflict zones of the South and the East.

These are constant factors that make the EU attractive to migrants, including forced migrants. However, the majority of asylum seekers to the EU come from a relatively small number of countries. Other countries, which generate large numbers of IDPs and refugees, are not the source of major flows to the EU.

Clearly there are selective factors at work. Some of these have already been mentioned above. Geographical proximity is obviously very important: asylum seekers from Eastern and South Eastern Europe tend to go to Austria and Germany, while North Africans are more likely to go to France, Italy or Spain. In other cases, historical or cultural links pre-dispose people to seek asylum in a specific country. Past colonial links, common language and diaspora communities are very important. For instance, asylum seekers from the DRC tend to go to Belgium, while Nigerians prefer the UK (although there is some evidence that the patterns of asylum flows are becoming increasingly counter-intuitive, for example, the arrival of significant numbers of Colombians in the UK rather than Spain, as a result of immigration controls such as visa regimes which are targeted at particular nationalities).¹⁴ The lack of proximity in these cases is often compensated for by direct airline connections. Another factor is past labour recruitment: for instance the high proportion of Turks and people from Former Yugoslavia coming to Germany is linked to the 'guestworker' recruitment of the 1960s and 1970s. When migrant labour recruitment stopped, flows continued through family reunion, undocumented migration and asylum seeking. Thus the presence of an existing ethnic community in an EU country can be an important factor

influencing the decision making process of others from the same country of origin (Robinson & Seagrott 2002).

It is important to recognise that asylum seeking is part of the dynamic social process of migration: once a migratory flow is established it may continue even where policies in relation to asylum seekers change. This does not mean that forced migrants who exert some choice over their destination are not genuinely in need of protection, rather it indicates that social networks and chain migration are important aspects of the process by which asylum flows are formed and maintained, and indeed may be especially vital to those who have no alternative but to leave their countries of origin in search of safety elsewhere. As is suggested below these intermediate factors and migration mechanisms are important component in understanding the causes of forced migration, and in formulating policy responses that are effective.

Intermediate factors and migration mechanisms

The distinction between push and pull factors is useful for descriptive purposes, but is too schematic to be maintained in an analysis of any specific migratory movement. The decision to migrate – even for purposes of seeking asylum – is the result of consideration of a wide range of factors by the potential migrants, their families and their communities:

it takes a combination of economic, social and political factors in both the source and the target country for people to move (Bissell and Natsios 2001).

Although those who are forced to leave their countries of origin may have limited time to plan their departure, they are often presented with an opportunity to review the options available to them en route to their final destination, which enables them to assess conditions and opportunities in both sending and receiving areas, as well as the costs and risks of the travel. This is why intermediate factors are important in deciding where forced migrants go. The presence of a pre-existing ethnic community in a potential destination was discussed above as a pull factor, but it can also be seen as the basis for a transnational migrant

network, thus as an intermediate or facilitating factor. In addition contact with existing migrants can be seen as a type of social capital, since it provides a mechanism for obtaining advice and support to enable a person to move, and can assist in the process of finding housing, employment and legal information on arrival.

These networks are both informal (often associated with friends and family and involving no financial transactions) and more formal (involving third parties and financial transactions). The latter is often referred to as the 'migration industry', a term which embraces the many people who earn their livelihood by organising migratory movements as travel agents, bankers, labour recruiters, brokers, interpreters, and housing agents. Such people range from lawyers who give advice on immigration law, through to human smugglers who transport migrants illegally across borders. Some migration agents are themselves members of a migrant community, helping their compatriots on a voluntary or part-time basis: shopkeepers, priests, teachers and other community leaders often take on such roles. Others are unscrupulous criminals, exploiting those who are vulnerable by charging them significant fees, often for services that do not match their expectations. Others are police officers or bureaucrats, making money on the side by enabling migrants to exploit loopholes in the regulations, or travel outside of them. In many cases, it is the people-smugglers who determine the options available to individual migrants about where they will go and how they will travel. The extent to which forced migrants are able to make choices within this range of options is often dependent on their socio-economic status. Some forced migrants, particularly those who have limited funds for their journey, may not even know where they are travelling to, and the final destination will be determined for them by the opportunities presented to the agent. Although it is beyond the scope of this report to analyse the significance of this intermediate factor in shaping patterns of forced migration to the EU, it is important to note that it is generally considered to be an increasing phenomenon: in part due to the increasing immigration restrictions which prevent both asylum seekers and migrants entering the EU legally and which form a significant focus of EU policy in this area.

While concrete evidence is difficult to come by, most people seeking asylum in the EU from European (such as FRY, Romania, Bosnia-Herzegovina) and West Asian countries (Iraq, Iran, Afghanistan) arrive

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by land, often following long and sometimes indirect transit routes.¹⁵ For those travelling longer distances, particularly from sub-Saharan Africa and Latin America, strong colonial links and direct flights often to hand-in-hand. Mode of transportation is often clearly influenced by economic status. The better off are more likely to fly, and to go to a country of their own choosing. Many asylum seekers pass through other countries before arriving in the EU. Some of these transit countries, which are usually very poor, host large refugee populations of their own. For some 40 years, Tanzania has received some of the largest refugee inflows in Africa from its troubled neighbours, including at various times the Republic of South Africa, Mozambique, Malawi, Zimbabwe, Uganda, Burundi, Rwanda and the DRC. Today Tanzania – one of world's poorer nations – still has the largest refugee population of the continent: at least 0.5 million. Other important transit countries include Guinea, Kenya, Iran and Pakistan. It is clear that conditions facing refugees in neighbouring countries and countries of transit are an important issue and one which needs to be included in any policy response which addresses the causes of forced migration to the EU.

3. Policies for reducing forced migration to the EU

Restriction versus root causes in EU policy

Our discussion on the causes of forced migration to the EU provides an indication of the complexity of the factors involved and suggests that indicators of conflict (including repression and discrimination of minorities, ethnic violence, human rights abuses and civil war) are the most useful tools in explaining or predicting flows of asylum seekers to the EU. However, they are not sufficient in themselves for several reasons. Firstly, conflicts do not occur in a vacuum, but rather are indicative of deeper problems in society, connected with fundamental problems of economic development, governance and human rights. Measures to address the immediate causes of conflict may not bring about lasting solutions, unless they lead to long-term strategies that address underlying structural causes. Secondly, conflicts and forced migration within a country do not necessarily translate into flows to the EU. To explain why people from specific countries of origin seek refuge in specific EU countries, we need to understand a whole range of specific pull factors in the destination countries, as well as various intermediate factors. This complexity is well understood, as is demonstrated in recent academic literature, and in policy analysis documents from international agencies including UNHCR and the EU itself. Thirdly, it is not the case that all asylum seekers to the EU, even those from countries which are identified as experiencing these problems, are automatically in need of protection. With the exception of emergency situations where temporary protection is provided on a group basis, the majority of systems for asylum determination in the EU are based on an assessment of individual claims.

In so far as our understanding of the causes of forced migration are concerned this both adds complexity and detracts from the overall circumstances in countries of origin by focusing attention on the individual claimant. If the causes of forced migration are to be addressed in countries and regions of origin and transit, policies need to be driven not by individual claims for asylum (which may or may not be legitimate) but by a clearer understanding of what it is about conditions

in those countries and regions which lead individuals to feel that they have no choice but to leave.

Since the early 1990s there has been growing awareness within the EU of the need to pay attention to the root causes of migration, including forced migration. In December 1992, the Edinburgh European Council called for measures to address the causes of migration, including preservation of peace and end to armed conflicts, respect for human rights, the creation of democratic societies and adequate social conditions, and liberal trade policies which could improve economic conditions. It was recognised that this would require co-ordination in the fields of foreign policy, economic co-operation and immigration and asylum policy by the Community and its Member States (Spencer 1996). This recognition of the links between economic and political causes of migration, and hence between economic and forced migration, was reinforced in subsequent years by the experience of influxes of people fleeing the wars in Former Yugoslavia. The efforts of the EU and its Member States to bring about conflict resolution and reconstruction in Bosnia-Herzegovina and Kosovo were motivated by a range of considerations, but limiting the extent of migration and asylum to EU Member States was certainly an important element.

In practice this initiative proved difficult to implement. The call for a comprehensive approach came from the Task Force on Justice and Home Affairs in the EC Secretary General's department, as well as from EU member state ministers responsible for asylum and immigration. They realised that their efforts to reduce flows of asylum seekers to the EU would have limited effect unless measures were also introduced to address the root causes of those flows. This required migration issues to be built into external affairs and development assistance and humanitarian aid policies. However, the Directorate Generals and ministers responsible for these areas showed little willingness to address migration issues explicitly in their policies. This was partly because development and foreign policy objectives and priorities can differ from (and in some cases conflict with) those of home affairs ministries responsible for addressing the impacts of asylum and migration on Member States themselves. Whilst out-migration (including forced migration) from countries of origin and transit is of concern and interest, this is for very different reasons. In fact, since the early 1990s, the EC has included more or less systematically a so-called human rights clause

in its bilateral trade and co-operation agreements with third countries,¹⁶ but these did not have the prevention of migration or asylum seeker flows as an overt objective.¹⁷ There was also clearly some concern among policy makers in the development area that focusing already scarce resources specifically on addressing the causes of forced migration to EU Member States would make development policies seem self-interested. An exception to this was the 'Barcelona Process', established in 1995 as a Euro-Mediterranean partnership to improve living standards and protect human rights in regions bordering the EU, in which limitation of migration to the EU was a key dimension.

A comprehensive approach to addressing root causes of migration seems impossible without a strong EU co-ordinating mechanism. The momentum towards such coordination was strengthened by the 1997 Treaty of Amsterdam, which established community competence in the areas of migration and asylum.¹⁸ The European Council at a special meeting held in Tampere in October 1999 laid down principles for a common policy which included four main elements:

partnership with countries of origin; a common European asylum system which should lead in the longer term to a common asylum procedure and a uniform status for those granted asylum; fair treatment of third country nationals and the more efficient management of migration flows.
(Commission of the European Communities 2001)

Perhaps most notably, the measures proposed to work in partnership with countries of origin include an important recognition of the need to address the root causes in countries and regions of origin and transit:

The European Union needs a comprehensive approach to migration addressing political, human rights and development issues in countries and regions of origin and transit. This requires combating poverty, improving living conditions and job opportunities, preventing conflicts and consolidating democratic states and ensuring respect for human rights, in particular rights of minorities, women and children. To that end, the Union as well as Member States are united to contribute, within their respective competence under the

Treaties, to a greater coherence of internal and external policies of the Union. Partnership with Third Countries concerned will be a key element for the success of such a policy, with a view to promoting co-development. (Commission of the European Communities 2001, Conclusions, para 11)

At Tampere the European Council also agreed to continuing the mandate of the High Level Working Group on Asylum and Migration (HLWG), which was established in December 1998 as a cross-pillar group to produce Action Plans for specific countries which address the root causes of migration, including forced migration (Council of the European Union 2000a). The HWLG was established in a response to an initiative from the Netherlands, but was actually first recommended in an infamous Strategy Paper on Asylum and Immigration produced by the Austrian Presidency in 1998. It comprises not only Justice and Home Affairs experts, but also experts in the fields of foreign, security, development and economic policies, and came about at a vital moment in time in the progress towards integration in the fields of asylum and immigration (Van Selm 2002a, 2002b).

The HLWG has drawn up Action Plans for four main countries of origin and transit of forced migrants coming to the EU – Afghanistan, Morocco, Somalia and Sri Lanka – and also for Iraq (this was the original report which led the HLWG to be established). An interim report has been produced for Albania and the surrounding region and was approved in June 2000. According to an EU report:

The Action Plans contains proposals for measures for cooperation with the countries concerned in three integrated categories: foreign policy, development and assistance as well as migration and asylum. The Action Plans can be considered as a first attempt by the European Union to define a comprehensive and coherent approach targeted at the situation in a number of important countries of origin or transit of asylum seekers and migrants (European Union 2000a, paragraph 10).

By establishing the HLWG and giving it the task of drawing up Action Plans targeted at the situation in countries and regions where forced

migrants to the EU originate, the European Council has clearly recognised that it is in the interests of both the citizens of the EU and the countries of origins and transit of asylum seekers to address root causes of migration and flight as well as consequences. To that extent the Action Plans are a concrete expression of cooperation within the EU in the field of asylum and migration as intended by the Treaty of Amsterdam. They provide an in-depth assessment of the situation in the countries selected and have the potential to enable a joint analysis of the root causes of flight or migration on the basis of an up-to-date survey of the political, economic and human rights situation in the countries concerned.

A closer analysis of the HLWG process however reveals a number of problems with the way the group operates which suggest that there is a long way to go in addressing the root causes of forced migration to the EU. A first observation is that the six Action Plans only cover four of the top ten source countries of asylum seekers for the EU. Morocco and Albania are mainly sources of economic rather than forced migration. Moreover although the Action Plans are intended to address the need for cooperation with the countries concerned in three integrated areas – foreign policy, development and economic assistance as well as migration and asylum – they have been criticised for dealing only cursorily with preventive measures such as conflict resolution, development and poverty reduction in refugees' countries of origin, and for their primary focus on exporting migration control, such as airline liaison officers, anti-immigration information campaigns, and readmission arrangements to the source countries. Human Rights Watch (2001) and other NGOs including Amnesty International's European Office, whilst welcoming a more comprehensive approach, have criticised the Action Plans for failing to adequately address human rights violations in countries of origin and the need for protection for those who are forced to leave as a result. For example, the report on Iraq, whilst confirming generalised persecution in the country, makes no proposals to facilitate the entry into the EU of people in genuine need of protection.

Secondly, despite the principle of co-operation with countries of origin (as stipulated in the Terms of Reference for the group),¹⁹ some have argued that the Action Plans were formulated by Member States and adopted by the Council with insufficient substantive consultation

with the governments concerned (see, for example, Van Selm 2002a, 2002b). The Moroccan Government, for instance, did not welcome the Action Plan for Morocco, which was critical of its emphasis on the 'security dimension' and of the tone and language used to describe the causes of migration (Council of the European Union 2000a, paragraphs 19-22). In addition the HLWG found that several countries of origin were reluctant to cooperate because they felt that they were 'the target of unilateral policy by the Union focussing on repressive action'.²⁰ A further problem has been the absence of internationally recognised governments in three of the Action Plan countries: Afghanistan, Somalia and Iraq. The criticism of a lack of co-operation with governments in countries of origin can be extended to the lack of joint working with NGOs both in countries of origin and in the countries of the EU. Although there has been good co-operation with the major international organisations (UNHCR, IOM and the Red Cross) this has not extended sufficiently to smaller NGOs and policy institutes.

Perhaps the most significant criticism of the Action Plans produced by the HLWG is that while the reports are widely agreed to be of a high quality in terms of their descriptive content, they are lacking in new ideas and specific proposals for action. The Action Plans are for the most part a collection of policy objectives which have almost all already been developed and enshrined in EU and European Commission work, particularly in the areas of trade, external relations and development (Van Selm 2002a, 2002b). Any proposals or recommendations for action that are made are so vague and non-specific as to be virtually meaningless. For example, the report on Iraq makes proposals for further action such as: 'continue to discuss the situation in Iraq and the possibility of EU initiatives', and 'encourage contacts with the Iraqi elites in the academic and cultural sphere' and 'look into further possibilities of providing humanitarian assistance'.²¹ For Albania similarly, there are recommendations for the 'promotion of stability' that are described in very general terms. As a result the Action Plans do not amount to implementable programmes or policies that would, for example, effectively prevent human rights violations, or combat the root causes of forced migration. There are far more detailed and specific proposals in relation to the immigration controls aspects of the Plans, for example stationing Airline Liaison Officers in countries of origin or neighbouring regions. This is reflected in the absence of any specific or

measurable targets for evaluating the success or otherwise of efforts to implement the measures in the Action Plans. It is not clear how the Commission itself assesses the process and outcomes of the HLWG.

Following the report to review progress on the creation of an area of 'freedom, security and justice' in the European Union of May 2002, it was agreed that new Action Plans should be drawn up on the basis of the experience acquired in implementing the Action plans adopted so far. However the HLWG's work has largely stalled since the presentation of its six reports and it has decided for the moment to launch no new Action Plans. Discussions have continued under each presidency but they have not resulted in full budgeting for the implementation of the plans, nor in the addition of new countries, nor in any alterations in the original reports and action plans updating any changed circumstances (including the changes in Afghanistan and war in Iraq).

Meanwhile the fight against illegal migration to the Member States rather than measures to address the causes of migration has been the principle focus of attention and concrete action within the EU.²² This focus began at Laeken in December 2001 when the European Council asked the Commission to develop an Action Plan based on the Commission's Communication on a Common Policy on Illegal Immigration the previous month. The resulting *Green Paper on a Community Policy on Illegal Residents*²³ emphasised the need to develop a common readmission and return policy as an integral and vital component of the fight against illegal immigration. In February, the Council of Justice and Home Affairs Minister adopted a *Comprehensive Plan to Combat Illegal Immigration and the Trafficking of Human Beings in the EU*. The Spanish Presidency proposed a Plan for Integrated Management of the External Borders of the Member States of the EU (Council of the European Union 2002). Measures suggested included increasing the security of visas, exchange of information on illegal migration, coordination between migration liaison officers, and improving the effectiveness of border controls, including establishing a common EU border police force. Special emphasis was put on procedures for the return of illegal immigrants, including failed asylum seekers, through readmission agreements made with their countries of origin. In the run-up to the Seville European Council meeting of June 2002, proposals were made by the Spanish and the British Prime

Ministers to link readmission agreements to aid and other cooperation arrangements with countries of origin. This would have made it possible to put economic pressure on countries unwilling to re-admit nationals deported from the EU.

The Conclusion adopted by the Seville European Council of 21-22 June 2002 stopped short of imposing economic sanctions on countries of origin unwilling to re-admit illegal immigrants, including failed asylum seekers. However, there is evidence of a significant shift of emphasis in the way in which proposals to address the causes of forced migration were framed. Although the Council reiterated its view that closer economic cooperation, trade expansion, development assistance and conflict prevention are all means of promoting economic prosperity in the countries concerned and thereby reducing the underlying causes of migration flows, it also emphasised that an integrated, comprehensive and balanced approach to tackle the root causes of illegal migration (as opposed to forced migration) is the EU's constant long-term objective. Within this context the Council Conclusions highlight 'the importance of ensuring the cooperation of countries of origin and transit in joint management and border control as well as on readmission' and call for a 'systematic assessment of relations with third countries which do not cooperate in combating illegal immigration'. The conclusions of the Seville European Council meeting thus focussed almost entirely on combating illegal immigration and on the readmission of illegal immigrants including failed asylum seekers. Despite the more comprehensive approach laid down at Tampere in 1999, the main policy effort remained in the areas of border control and migration management. There was a good deal of focus on strengthening of the EU's external borders, repatriation to countries of origin and reviewing visa requirement policies. There was no substantive mention of tackling root causes, such as lack of socio-economic development, repression of human rights and armed conflict. Indeed in the 'roadmap' for the follow-up to the Conclusion of the European Council meeting at Seville (a concrete action plan which provides deadlines for the immediate tasks to be taken and delegates the various responsibilities precisely), there is not one measure among the twenty-four outlined which addresses the root causes of forced migration to the EU.²⁴

Perhaps of greatest concern is the appearance of a new way of linking migration and development objectives: relationships between

the EU and third countries are evaluated according to their willingness to co-operate in the management of migration flows, particularly where this would relate to the readmission of refugees who have transited through those countries. According to the conclusions of Seville, readmission agreements are defined as vital instruments and retaliation measures could be taken under Common Security and Foreign Policy (CSFP) and other EU policies in case of 'persistent and unjustified denial of such cooperation'. In the context of the analysis in the preceding section of this paper, this has given rise to concerns among European NGOs such as ECRE that the effect of such a policy approach would be to shift the burden of responsibility to less developed countries, thereby fuelling secondary refugee and asylum flows to EU Member States.

This said, there is evidence that the European Commission remains committed to addressing the root causes of forced migration and that the original work of the HLWG has been overtaken by other policy initiatives and statements. On 3 December 2002 the Commission adopted its *Communication on Integrating Migration Issues in the EU's Relations with Third Countries*.²⁵ The Communication pioneers the approach that concerns related to legal and illegal migration need to be integrated into the external policy and assistance programmes of the EU, and elaborates how the EU's external policies and instruments, including development policy, can make an important contribution in addressing the underlying causes of migration flows. The Communication recognises that implementing an 'integrated, comprehensive and balanced approach' requires coherence in action and shared responsibility between all actors concerned, Community and Member States alike. It focuses on EU relations with low and middle income countries in Africa, Asia, Latin America and Europe (with the exception of EU candidate countries), and aims to put the migration issue into a broader context, taking account of the driving forces of international migration, the specific case of people in need of protection and the effects of international migration on developing countries. The Communication reiterates the commitment to develop a balanced approach which addresses the root causes of migration flows as a long-term priority, through development programmes aimed at poverty eradication, institution and capacity building and conflict prevention; it states an intention to encourage rather than penalise third countries to cooperate in measures to address migration issues; and it undertakes to

give greater weight to migration aspects within the Regional and Country Strategy Papers which form the basis of the EU's assistance programmes to third countries. In addition, it recognises that progress could be significantly enhanced by increasing the budget heading B7-667 (which currently finances the HLWG). Perhaps most importantly, the communication includes a number of examples of how to address migration management. In Part II of the Communication for example, there is an attempt to quantify for the first time the support the European Community is providing, including to address the root causes of forced migration. Although it is difficult to assess the impact of the Communication at this stage, it is important to note that the relationship between migration and development is, in theory at least, recognised as an important one.

This chapter examines whether this understanding of the causes of forced migration is reflected in the development of a common asylum and immigration policy in the EU and in concrete comprehensive measures designed to address the reasons why migrants are forced to leave their countries of origin and seek asylum in Member States. Broadly speaking, policies for dealing with asylum seeking in the EU fall into two main categories: policies designed to restrict or control entry into EU countries; and policies designed to prevent forced migration by addressing causes in the countries of origin. The latter may be short-term policies that are concerned with the immediate causes of specific migratory flows, or they may be longer-term policies, which address issues of conflict-prevention and development in more fundamental ways.

Policies for restricting access to refugee status

The 1980s saw a significant increase in flows of asylum seekers coming directly to the EU from conflict zones in Latin America, Africa and Asia. Although the reasons for the increase in such flows have been well-documented (and include, for example, the increasing availability of cheap air transport from destinations not previously linked directly with Europe), there was increasing concern about the scale of these flows and their social and economic impacts on the countries in which migrants settled, and on the extent to which the asylum process was being exploited by those who were not genuinely in need of protection

but were seeking to enter for economic reasons at a time when labour migration routes were being closed. Throughout the 1990s political and public hostility towards asylum seekers grew and was further exacerbated by the additional rapid increase in numbers that followed the fall of the Berlin Wall. In Germany, extreme-right mobilisation, arson attacks on asylum-seeker hostels and assaults on foreigners became a threat to public order and provided the backdrop to the development of increasingly restrictive asylum policies in a number of EU states, characterised by some observers as representing the construction of a 'Fortress Europe', in which the principle objective of asylum and immigration policy is to prevent access to the countries of the European Union, primarily by strengthening external frontier controls. This approach has been considerably strengthened as a result of the development of a common EU asylum and migration policy, which has been on-going since the Amsterdam Treaty. Specific measures include:²⁶

Changes in procedures for asylum determination and criteria

Measures to limit access to refugee status have been particularly important in Germany, where the Basic Law had laid down an absolute right to asylum for persecuted persons. The Government's effort to amend Paragraph 16 of the Basic Law was highly contentious, but was eventually accepted. Sweden also changed its criteria for granting refugee status and the level of applications to both countries fell sharply in the mid-later 1990s. More recently the UK and Denmark have both implemented changes in national legislation relating to the asylum and immigration process. In the case of the UK this is the fourth substantial set of changes in less than ten years.

Temporary protection regimes

These originated in the need to provide protection for people fleeing the wars in former Yugoslavia. Instead of permanent refugee status, they were to be given limited term permits to remain, and sent home once conditions allowed. Temporary protection programmes have subsequently been developed in relation to a wider range of groups and have become a key aspect of EU asylum policy through the Directive on

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Temporary Protection, which entered into force on 7th August 2001 and establishes a EU mechanism and minimum standards for granting temporary protection. Temporary protection is defined as 'a procedure of exceptional character to provide, in the event of a mass influx or imminent mass influx of displaced persons from third countries who are unable to return to their country of origin, immediate and temporary protection to such persons, in particular if there is also a risk that the asylum system will be unable to process this influx without adverse effects for its efficient operation, in the interests of the persons concerned and other persons requesting protection'.²⁷

Non-arrival policies

The immigration and asylum policies of EU Member States are increasingly characterised by measures designed to prevent people without adequate documentation from entering. Citizens of certain states are required to obtain visas before departure. 'Carrier sanctions' have been widely introduced, requiring airline personnel had to check documents before allowing people to embark. Many governments now employ Airline Liaison Officers and immigration officials in origin and transit countries to prevent undocumented or inadequately documented passengers from exiting the country.

Diversion policies

There is an increasing emphasis on policies designed to place responsibility for processing claims and providing protection on other countries that are signatories of the Refugee Convention and through which an asylum seeker has passed before reaching an EU Member State. By declaring Central European countries such as Poland, Hungary and the Czech Republic to be 'safe third countries', EU Member States can return asylum-seekers who have passed through these countries. Re-admission agreements with origin and transit countries designed to ensure that failed asylum seekers can be returned to their countries of origin have been written into trade and cooperation agreements, and are the focus of increasing attention within the Commission.

Limited interpretation of the Refugee Convention

Although the Tampere conclusions confirm a commitment to the principles of the Refugee Convention, there is widespread evidence on a national state basis of a narrowing interpretation of the scope of the definition of who can be protected on this basis, for example, to exclude those persecuted by 'non-state actors', on the basis of their gender, or as a result of localised events. However, many of those refused refugee status are nonetheless allowed to remain under such categories as 'exceptional leave to remain' in the UK or *Duldung* (toleration) in Germany. It is important to note that the Commission's proposal for a directive on the refugee definition includes non-state actors and other experiences of persecution which are currently not recognised as constituting a valid basis for refugee status within some EU Member States.

European cooperation on asylum and immigration rules

Legislation such as the 1990 Schengen Convention has been designed to create a common migration space within the EU, and the 1990 Dublin Convention, aims to prevent 'asylum shopping', meaning, lodging multiple applications for asylum in different European countries.

Measures designed to deter asylum seekers

These include detention, employment restrictions, limited social welfare provision (including provision in kind rather than cash), and restrictions on family reunion even where refugee status has been granted.

Policies aimed at restricting asylum seekers are not unique to the EU but have been introduced in most developed countries including the USA and Australia (although not so far in Canada). These policies – rather than real improvements in human rights – appear to be the main reason why the number of Convention refugees worldwide has fallen since 1995 [add reference...]. The refugee regime of the rich countries of the North has been fundamentally transformed over the last 20 years. It has shifted from a system designed to welcome Cold War refugees from the East and to resettle them as permanent exiles in new homes, to a 'non-entrée regime', designed to exclude and control

asylum seekers from the South (Chimni 1998; Keeley 2001). These changes to policy and procedures have made it virtually impossible for forced migrants who are genuinely in need of protection to enter the EU and claim asylum and in many cases has forced them to rely on people-smugglers and to enter illegally (either clandestinely or using false or forged documentation), or to enter in a different category and claim asylum once inside the country. There is some evidence that those who have entered illegally may not claim asylum because of the restrictions that are then imposed on them and fears that they will be deported, and instead chose to live as undocumented workers (Gibney 2000). This factor has served to further blur the distinction between asylum seekers and economic migrants, and arguably, between the causes of forced and other types of migration in the minds of policy makers.

Short-term measures for addressing immediate causes of forced migration

Despite the policy measures outlined above which aim to reduce the flow of forced migrants to the EU, many of those working on migration issues do not believe that major migratory movements to the EU from the East or the South can be prevented. Increasing regional and global integration has led to increased cross-border flows of people as well as capital and it has become increasingly difficult to distinguish between 'wanted' and 'unwanted' migrants. In addition the increasingly ethnically diverse populations that now make up Member States themselves mean that the linkages between people in different countries and regions of the world have become more complex and in some cases intractable. In this context it is clearly important to reduce pressures that force people to migrate, so that migration is a voluntary act, and therefore more likely to bring benefits for all the actors involved.

As our analysis in Chapter 2 shows, most of those who seek asylum in the EU are part of significant flows from countries beset by ethnic and other conflicts and civil wars. The most obvious way of reducing such flows is by addressing their immediate causes. The EU's approach to conflict prevention is most usefully articulated in its 2002 *Communication on Conflict Prevention*.²⁸ However as is indicated by the list of policy options outlined below, many of these measures are the responsibility of those working in the area of foreign rather than home affairs.

Early warning

Given the interest in addressing the causes of forced migration to the EU, there is a need to identify potential conflicts in countries and region of origin at an early stage. This is a complex area and there is an extensive body of research and policy analysis on conflict early warning systems (EWS) and, more recently, peace and conflict impact assessment (PCIA). Within the European Commission there is a recognition of the need to react quickly where a situation in a particular country seems to be entering a downward spiral, and that a capacity for trouble shooting depends crucially on the existence of a proper EU early warning mechanism. To this end the Commission supports the idea that the Council should undertake regular regional and country reviews so as to identify and monitor potential conflict zones. It has also established a Rapid Reaction Mechanism (RRM) to carry out a wide-range of short-term actions, which would otherwise require more cumbersome decision-making procedures. However to make full use of such mechanisms and in order to be credible, the EU has to prove that it has the political will to do what is needed to avert open conflict.

Preventive diplomacy

Preventative diplomacy can consist of a range of measures from mediation to sanctions, and can take the form of public pressure on the states and individuals involved as well as that which takes place behind the scenes. The EU has a variety of political and diplomatic options available to it where the situation in a particular country or region looks like deteriorating sharply. These include the formal statement or the diplomatic demarches, the political dialogue procedure, the dispatch of a fact-finding mission or a team of European observers and the appointment of a Special representative. The aim is to improve the internal human rights or security situation in the country concerned in order to prevent a situation escalating to one of conflict that leads to forced migration. However, preventative diplomacy at the EU level has proved problematic for a number of reasons, not least because Member States may have different relationships with the country concerned, which can impede efforts to achieve EU consensus on action (De Jong, 1996). The experience of EU efforts in Bosnia-Herzegovina and Rwanda,

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to give just two examples, bears out this difficulty. Again, in order to be a credible actor the EU has to show its capacity to adopt a common political line on sensitive issues and often this has not been the case.

Co-operation with neighbouring states

Models of conflict suggest that as the situation escalates both the likelihood and extent of forced migration will increase. At this stage, and in parallel with efforts to prevent conflict, states with an interest in preventing large-scale movements out of the region should seek the co-operation of neighbouring states in the region in order to formulate practical plans to deal with any outward migration. The aim behind such plans would be to contain migratory flows in the region, by persuading these states to offer temporary protection. One way of doing this is to offer such states substantial financial and technical support.

Peace-making and temporary protection in the EU

Where a situation of conflict cannot be prevented and there is mass displacement as a consequence, there is a need for the emphasis to shift towards peace making and reconciliation. At this stage it is possible that neighbouring countries and regions of first reception for forced migrants may no longer be willing to provide protection because the situation has moved from one of short-term emergency response to one with potential long-term social and economic implications. One policy option for EU states in these circumstances is to establish programmes for the resettlement of those who are unable to return to their home countries. This may include schemes for temporary protection, for example, the Kosovan Humanitarian Evacuation Programme (HEP) in the UK.

Orderly return

Once the conflict is over, the aim should be repatriation of the displaced people. However, this requires EU assistance to restore damaged social, economic and physical infrastructure. Mass return may be a destabilising factor, so the EU should collaborate with such organisations as UNHCR and IOM to carry out orderly return programmes (De Jong

1996, 167-8). A recent example of orderly return which has been undertaken with relative success is that which has taken place in Afghanistan, although there is now increased pressure for this return to be undertaken on a compulsive rather than voluntary basis despite the on-going political and economic instability in the region.

The track record of short-term preventative measures is uneven. They seem to have played a limited role in stopping outflows during periods of extreme tension and violence, for instance in Bosnia-Herzegovina and Kosovo. However, efforts to control conflicts through diplomacy, economic aid and support for civil society organisations may well have had important affects elsewhere (the example of Georgia might be worth examining in this context). The absence of violence is less spectacular than extreme conflict, so the effects of preventive policies may go unrecognised. It is clear that effective prevention needs to take place as early as possible, so that conflicts leading to mass flight can be avoided. Where immigration prevention approaches are of a short-term and reactive nature, they are unlikely to achieve their objectives.

Long-term measures for addressing root causes of forced migration

It follows from our earlier analysis that short-term migration prevention measures are not adequate on their own to address the causes of forced migration and that longer-term strategies are needed. However, such strategies go beyond the normal understanding of what an EU asylum and migration policy might constitute by addressing fundamental political, economic and social factors in countries and regions of origin. This means that a range of EU policies concerned with human rights, foreign affairs, international co-operation, development assistance and investment trade, are involved. We cannot present a comprehensive review of all these areas and their implications here, so we will focus on brief discussion of a few important policy areas that are clearly of relevance in addressing the causes of forced migration to the EU.

Human rights

Action to improve and safeguard human rights in countries of origin of migrants is a crucial part of any strategy to address root causes. As

former UN High Commissioner for Refugees, Sadako Ogata said in 1993; 'Safeguarding human rights is the best way to prevent conditions that force people to become refugees...and critical in enabling them to return home' (quoted in Spencer 1996). Strengthening democracy, the rule of law and respect for human rights are explicit goals of EU external affairs and development policies. The question is: what instruments does the EU have to work for improvements in non-EU countries?

There are several alternative approaches that the EU can adopt in relation to countries where human rights are being abused. The EU and its Member States can make diplomatic representations to governments of countries where human rights are at risk. It is also possible to provide financial and other forms of support to governmental and non-governmental bodies working to improve human rights. Such activities may, however, be dependent on the support or at least the good will of the authorities of the country concerned, which may not be forthcoming. The EU can apply stronger pressure by insisting on human rights conditionality in agreements on trade and international co-operation. Failure by the country concerned to improve or maintain human rights can then lead to suspension of bi-lateral agreement, postponement of decision on new projects, trade embargoes and so on. Spencer (1996) gives a number of examples of such action: suspension of co-operation in development programmes with Sudan, Haiti, Rwanda and Zaire; and the stopping of arms sales to Nigeria after the execution of environmental activists in 1995. Since 1992, the European Commission has insisted on the insertion of human rights clauses as an 'essential element' in agreements with third countries. This means that violation of human rights triggers a legal entitlement to suspend or terminate the agreement. However, the effectiveness of such clauses is not proven. They may be a blunt instrument, for the EU or its Member States may not wish to terminate an agreement that is important for economic or political reasons, unless the human rights violations are seen as constituting a threat to peace and security. The UNHCR stresses the need to put respect for human rights first in trade and investment relations, and argues that this can be cost-effective in the long run: '[o]ne need only speculate what might have happened in Rwanda if the approximately \$2 billion spent on refugee relief in the first two weeks of the emergency had been devoted to protecting human rights, peace-making and peace-keeping' (UNHCR 2000b). At present, however, it is

far from clear that human rights will be put above economic interests, when the two diverge.

The European Commission has adopted a number of Communications relating to human rights and democratisation in the last decade, which are outlined in its 2001 Communication on *The European Union's Role in Promoting Human Rights and Democratisation in Third Countries*.²⁹ It maintains that the EU is well placed to promote democracy and human rights not least because as an economic and political player with global reach, and with a substantial budget for external assistance, it has both influence and leverage which it can deploy on behalf of democratisation and human rights. However the Commission accepts that there need to be more coherent and consistent policies in support of human rights and democratisation. The crosscutting nature of human rights and democratisation requires considerable effort to ensure greater consistency and coherence. This applies both to coherence between European Community policies, and between those policies and other EU action, especially the Common Foreign and Security Policy. It also requires the promotion of consistent and complementary action of the EU and Member States, in particular in the promotion and mainstreaming of human rights through development and other official assistance. The Commission is attempting to develop a more strategic approach through the European Initiative for Democracy and Human Rights (EIDHR), and has a specific budget line of around 100 million Euros to support human rights, democratisation and conflict prevention activities to be carried out primarily in partnership with NGOs and international organisations. There are also a number of other budget lines.

Humanitarian action

Activities designed to mitigate the consequences of conflicts and disasters can make an important contribution to the prevention of forced migration. However, such measures generally have wider motivations connected with foreign and security policy, as well as post-conflict reconstruction and development. EU involvement in humanitarian action has grown considerably since the establishment of the European Commission Humanitarian Office (ECHO) in 1993.

Humanitarian action refers to activities carried out by international agencies, donor governments, NGOs and, increasingly, private companies, to alleviate the consequences of conflicts, disasters and poverty in less developed countries. Traditional humanitarian work consisted of provision of food, shelter and medical assistance to victims. It was often motivated by religious, ethical or charitable considerations. However, in today's complex emergencies, in which various types of crisis and displacement tend to occur in a simultaneous and inter-linked way, humanitarian action has taken on new characteristics. Increasingly it is motivated by security considerations, since such crises are seen as having the potential for endangering regional and even global stability through economic disruption, mass exoduses and terrorism. Humanitarian action has become part of international politics, leading to a proliferation, professionalisation and diversification of the actors involved.

There is a tendency towards increased involvement of military forces from developed countries, as well private companies working for profit on government contracts. Apart from provision of emergency aid, humanitarian work can now include conflict prevention, peace-making and post-conflict reconstruction. At the extreme, humanitarian action can include military intervention to stop armed conflict, protect threatened groups or to create 'safe havens'. In the 1990s, seven major military operations designed (at least in part) to prevent mass population flows took place, namely in Northern Iraq (1992); Somalia (1992); Bosnia-Herzegovina (1992-5); Haiti (1994); Rwanda (1994-5); Kosovo (1999); and East Timor (1999). Six of these operations were under the auspices of the UN Security Council, while the Kosovo action was led by NATO. EU Member States participated in all except the Haiti operation. The success of these military actions was mixed, making it hard to justify the enormous financial and human costs involved (Roberts 1998).

Such developments make it difficult to maintain traditional humanitarian approaches. The principle of 'neutral humanitarianism' meant that aid agencies were supposed to take an impartial position, providing food, shelter, transport and medical assistance to both sides with the central objective of 'saving lives'. The problem of this approach was, as Mark Duffield comments, that humanitarian assistance 'inevitably became part of the local political economy' (Duffield 2001, 79). The aid goods were used by the combatants as a way of sustaining

the conflict. It is increasingly admitted that conflict prevention can involve taking sides. It can include long-term strategies for maintaining peace by eliminating political and economic factors likely to cause conflict. This can lead to action against regimes or political forces groups that are seen as responsible for conflict. Humanitarian interventions seek to restore peace at the local level through promoting forms of governance and economic organisation seen as likely to bring about democracy and development. As Duffield points out, this can involve 'a radical mission to transform societies as a whole, including the attitudes and beliefs of the people within them' (Duffield 2001, 258).

Such concerns with good governance and development can be found in EU approaches to humanitarian relief. *Council Regulation (EC) No 1257/96 Concerning Humanitarian Relief* links relief to rehabilitation and development, and calls for a comprehensive strategy based on effective coordination between EU and other agencies and in-depth analysis. NGOs receiving EU funding for work in the field are required to work according to EU policy guidelines. This gives the EU and the governments of Member States a great deal of influence in project design, monitoring, management and evaluation, even if the actual work is carried out by other agencies (Duffield 2001, 104-5). The use of such approaches throws up some difficult questions. The price of humanitarian aid may be a high degree of EU influence in the re-shaping of recipient societies. However good the intentions behind such social engineering, it is not clear that such externally determined recipes will actually prove effective and beneficial in diverse societies. A further question is whether the physical infrastructure and the management capabilities in post-conflict societies are adequate to support this type of intervention. Finally, it needs to be asked whether the EU and the Member States are actually willing to commit the very large funding needed for effective humanitarian action.

Development aid

The issues and tensions discussed above make it clear that the distinction between humanitarian action and development aid is a fluid one. In the final analysis, conflict prevention requires economic and social development. Conversely, failure to develop or, even worse, downward trends in economic and social well being, are likely to

exacerbate the divisions and stresses that lead to conflict. However, it cannot simply be assumed that development and democratisation will reduce forced migration. It is well established that the early stages of economic development lead to increased emigration, because more people have the resources needed for mobility, while opportunities at home have not yet improved significantly. This phenomenon is known as the 'migration hump' (Martin and Taylor 2001, 106). Similarly, Susanne Schmeidl has argued on the basis of a quantitative analysis that there is often a 'refugee hump' when strong authoritarian regimes collapse.^{xxx} Where human rights improvements are slow in coming, people may use the relaxation of border control by a weakened state in order to flee (Schmeidl 2001). It is only in the long run that democratisation and improved governance are likely to lead to reduced outflows and even return of exiles.

It is evident that development policy can in the long run play a major role in conflict prevention, and hence in reducing forced migration. Not least this is because the EU is the world's leading development partner, in terms of aid, trade and direct investment. Together the EU and its Member States provide 55 per cent of all official international development aid. However in the context of policy responses to address the root causes of forced migration it is important that there is consistency between development co-operation policy and other Community policies that may have an impact on developing countries, particularly foreign policy. One problem in this context is that the initial reaction to conflict by governments and other donor organisations is often to suspend development aid. Flows of refugees are often seen as 'symptoms of instability in societies where investments would not make sense. If a country qualifies for disaster or refugee relief, by this logic, it becomes disqualified for development assistance' (Bissell and Natsios 2001, 312). These authors – both former senior USAID officials – draw attention to the failure to co-ordinate within US agencies. For instance, when parts of Africa were hit by drought and famine in the 1980s, one section of USAID cut development aid, while another was starting famine relief. Once the emergency was over, it was hard for the countries concerned to resume a 'development relationship' with the USA (Bissell and Natsios 2001, 312-3). This points to another problem: that of the transition from emergency relief to development assistance. In many cases, the agencies responsible for emergency relief

and protection withdraw from a country when a conflict is considered over, before adequate plans for long-term development can be introduced. This gap in mandates may lead to a deterioration of conditions and resumption of conflict.

Trade and investment policy

It is quite possible that the most important measures to prevent conflict and reduce asylum seeker flows have no direct connection with migration at all. It has long been argued by economists that the most effective way of encouraging development is through policies designed to bring about free trade and to include less developed countries in global economic relationships. The 1992 statement of the Edinburgh European Council quoted above does make this connection, as do later EU documents. The argument for a strong causal link between trade policy and migration (both economic and forced) is presented in a recent article by two economists working on migration (Martin and Taylor 2001). They analyse the effects of trade, investment and aid policies, as well as military intervention, in reducing 'unwanted migration' at a global level, and find that:

The policy with the best track record to accelerate so-called stay-at-home growth is free trade followed by policies to promote private foreign investment in emigration countries. However, as trade and investment bring countries closer together, they may also temporarily increase migration (Martin and Taylor 2001, 96).

Free-trade policies may thus increase migration in the short run but reduce it in the long run. Unfortunately, governments tend to have a rather short policy horizon, and are not willing to pursue the desirable long-term aid, investment and trade policies: As external private and public assistance diminish, the US in this case seems more prepared to spend money to cope with migrants after they exit than to invest to the prevention of emigration' (Martin and Taylor 2001, 113-4).

A recent report by Oxfam estimates that trade restrictionism by rich countries costs developing countries around \$100 billion a year: twice as much as they receive in aid. This raises important issues for the EU.

First, the EU claim to support free trade policies towards less developed countries is not always realised in practice. On the one hand, the EU calls for free access to the commodity and service markets of such countries; on the other it maintains protective policies that restrict access to its own markets. The Common Agricultural Policy remains a major barrier to trade for external producers. EU agricultural products are exported at subsidised prices that are more than one-third lower than the costs of production. Such exports do considerable damage to producers in less developed countries, especially in Sub-Saharan Africa. The costs to less developed countries exceed by far any benefits provided by EU aid policies (Oxfam 2002, 11)

Second, the free-trade approach favoured by Northern governments and international financial institutions does not necessarily benefit economies of less developed countries, and may indeed lead to disadvantage and even impoverishment of some groups. The 'Washington Consensus' policies of free trade and investment, privatisation and restrictions on social expenditure can in fact lead to severe strains which may precipitate both economic and forced migration. For instance, Aderanti Adepoju has argued that migration in Africa is closely linked to family strategies of high investment of their scarce resources in the education of one family member, usually the oldest male child. Since crisis-ridden local economies make it hard to realise the benefits of this investment, the result is often emigration in search of better conditions in other African countries (such as the Republic of South Africa or Gabon), or an attempt at migration to the North. Similarly, migration may be a rational attempt to mitigate the dramatic effects of structural adjustment programmes on the family. Such programmes typically lead to cuts in education and health systems, and to reduction of employment opportunities, making emigration a 'coping mechanism of last resort' (Adepoju 2000, 385).

Finally, it is clear that certain forms of trade actually cause and sustain conflicts, and should therefore be controlled or banned. The UNHCR emphasises the importance of a global ban on illicit trading in 'conflict diamonds' as a way of reducing internal armed conflicts. One could add trade in oil, coltan, cobalt and other commodities in certain regions, especially in central Africa. 'In the same vein, stopping arms exports to regimes that persecute their citizens and to countries engulfed in violent internal conflicts or wars of aggression against other countries

could be the biggest single step towards reducing the number of asylum seekers' (UNHCR 2000b, 22). Again the willingness of the EU to accept economic sacrifices in order to reduce conflicts in this way has not been convincingly demonstrated. EU countries like the UK, France and Germany are amongst the world's biggest arms exporters.

Migration, development and foreign policy in the EU: can they be 'joined-up'?

The evidence presented in this paper suggests that whilst there is in theory a commitment to addressing the causes of forced migration this is not yet a priority in policy formulation within the EU. The JHA itself recognises that there have been some difficulties in the extent to which cooperation in the field of justice and home affairs have been consistent with other Community policies, which involve the institutions of the European Union intervening differently by means of separate instruments (such as regulations and directives). This is partly because of the current ineffectiveness of the HLWG as a mechanism for bringing together a range of policy areas to produce specific plans and proposals. However this in turn reflects a lack of consistency across policy areas and indeed potential conflicts of interests between the different policy areas relevant to the asylum and immigration area.

As was outlined earlier in this chapter, the HLWG is the EU's most ambitious attempt to co-ordinate measures to prevent forced migration across all relevant policy areas, and to involve Member States in implementation. Despite the emphasis on co-operation with countries of origin, the Action Plans produced by the group appear to have been prepared without full prior consultation, with the result that some sending country governments see them as unilateral measures to be imposed by the EU. Moreover, much of the content of the Plans maintains a focus on migration restriction, rather than prevention through addressing root causes. The Action Plans produced by the HLWG are based on the premise that there must be a common approach to addressing the causes of migration, including forced migration, which pays attention to political and socio-economic factors conducive to, or resulting from, flight or negative consequences of migration in a country. To be efficient such an approach must be comprehensive, maintained over the long term and be responsive to

changes of situation. All relevant measures available to the European Union, the European Community and the Member States will have to be utilised in a co-ordinated fashion. To date there is some evidence that this has not been the case.

The practical implementation of measures has at times suffered from difficulties in coordination between national administrations concerned. The Member States have been faced with budgetary constraints. More fundamentally, the HLWG has had to cope with the difficulty of integrating objectives relating to migration into development policies. Nevertheless, such difficulties in implementation can largely be attributed to the innovative nature of the exercise and the fact that European migration policy is still being defined. (Union 2000a, paragraph 51)

In order to ensure an efficient and parallel implementation of the Action Plans, the Council, the Commission and the Member States need to work closely in a co-ordinated manner. The necessary financial and personnel resources will need to be agreed upon to ensure implementation. The expertise of the Member States needs to be made available in the various policy fields. Most importantly the analysis produced by the HLWG must be accompanied by concrete, detailed and effective policies to address the causes of forced migration in the form of specific policies, projects and programmes. Imprecise descriptions of general measures to be taken such as 'economic development', 'economic co-operation', 'political dialogue', 'conflict prevention' or 'the promotion of peace, stability and civil society' are insufficient. The implementation of the measures in the Action Plans needs to be monitored and the results of the integrated cross-pillar evaluated. Action Plans should be subject to long-term evaluation with transparent and detailed progress reports to the European Parliament.

At the same time there is a need for greater transparency in what the aims and objectives of the HLWG are. The evidence presented here clearly suggests that the focus needs to be on addressing the causes of forced migration rather than on curbing illegal migration to the EU. Such an approach should be protection orientated and human rights based. It is vital that the HLWG works very closely with UN human

rights mechanisms and international; and national human rights NGOs to establish a human rights approach to asylum and refugee policy. The HLWG should establish a structure for direct dialogue with these bodies and with relevant refugee community organisations in Europe in order to enhance its analysis and understanding of the causes of forced migration in countries and regions of origin and transit. In this context Action Plans should serve as a useful starting point rather being seen as set than set in stone.

Just as importantly, and perhaps reflecting the problems associated with the HLWG, we have raised fundamental questions about whether or not policies in the areas of development, foreign and home affairs can be mixed together, and indeed whether they should. This paper has suggested that the HLWG is currently caught between three groups of policy makers that do not necessarily have common interests in working together in addressing the causes of forced migration. Development policies (which would be needed as the 'equipment' to tackle some of the push factors at source) are communitarianised in ECHO. Yet there is arguably a conflict of interests. If any funding for implementation is to be found, this is will most likely come from development funds,³¹ yet according of Van Selm (2002a, 2002b) development ministries and their staff, as well as development officials in the European Commission, have put up stiff resistance to working with this group on the basis that development funds, limited as these are, should certainly not be used to prevent people from exercising their human rights, including their right to seek asylum. In addition, tying development assistance to any aspect of migration is inherently controversial and a minefield of ethical dilemmas, as illustrated at Seville. Foreign policy meanwhile remains squarely in the realm of inter-governmental cooperation. As a result there is a danger of a 'turf war' between those representing asylum and immigration policies and those representing foreign affairs and development issues.

This then leads us to the question of whether in this context it is sensible or practicable for policy makers at the EU level to attempt to tie together areas which potentially appear incompatible at some level. The analysis of the HLWG by Van Selm (2002a, 200b) suggests that it is useful to recognise what is new about such an approach and what is not. As she suggests, development and foreign policy seem relatively compatible and have been tied for years, and migration meanwhile has

been tied to foreign policy. Policy-makers recognise that migration and development are linked, but maintain the separation between migration policy and development policy reflected in the fact that aid policies and migration policies are directed towards different ends and towards different constituencies. In policy terms therefore the link between migration and development is a new one. The key question is whether it is a useful one and, if so, how it can best be taken forward.

The relationship between migration and development is the subject of a very useful study and series of papers recently produced by the Centre for Development Research to inform the Danish Presidency.³² The findings of the research and the policy study that resulted from it, suggest the need for a more dynamic analysis of the relationship between migration and development that recognises the relationship between forced migration (including conflict and human rights violations) and economic migration, which sit at opposite ends of a continuum but are not separate or discrete from one another. In this context measures for the prevention of conflict need to be multi-dimensional and mainstreamed in the aid vocabulary. However, as our analysis has demonstrated, the direct or immediate causes of forced migration are not always the same as migration per se and it is important that policy measures to address root causes are able to distinguish between and direct themselves towards the specific one as appropriate. Ensuring consistency between different strands of policy-making is a challenge to the international community, but it does not mean that all these measures have to be delivered as integrated packages. The international community needs conflict- and country-specific frameworks for conflict prevention, reconciliation and resolution.

Despite the fact that there may be good reason to keep some policies separate, including those specifically needed to tackle the causes of forced migration, it is clear from the evidence presented in this paper that the current separate (and often conflicting) policies on poverty reduction, globalisation, security, refugees and migration are costly and counterproductive. More importantly, as suggested by Sorensen et al (2002), there is unused potential in mutually supportive policies: that is, in a constructive use of activities and interventions that are common to the migration and development fields and may have positive effects on poverty reduction, development, prevention of violent conflicts, and

international mobility. The European Union has a great comparative advantage deriving from its presence in numerous geographical locations, sectors and policy fields and is well positioned to take a lead in migration-development.

4. Conclusions

Our analysis of the causes of forced migration to the EU in Chapter 2 showed the complex relationship between push, pull and intermediate factors. We devoted most attention to causes in the countries of origin, and found that indicators of conflict (repression of minorities or ethnic conflict, civil wars and internally displaced populations) were the best predictors of outflows of forced migrants. However, to explain why most migrants remained within the region while others go to specific EU countries, it is necessary to look at pull and intermediate factors as well. In fact the separation into these types of causal factors, although useful for analysis, cannot be sustained in practice, for every migratory movement is the result of a dynamic interaction between a multitude of factors. Economic and political causes form not a pair of opposites but a continuum. Similarly, the distinction between conflict and development indicators needs to be questioned, because conflicts are often the expression of failure to bring about economic and social development, to introduce democratic institutions and to safeguard human rights.

Chapter 3 outlined the EU policy response to the increase in the number of forced migrants seeking asylum in Member States. There are three types of possible policy response: policies to restrict or control entry into EU countries; short-term policies designed to address immediate causes in the countries of origin; and longer-term policies to address issues of conflict-prevention and development in more fundamental ways. We have argued that although there has been recognition of the need to tackle the underlying causes of forced migration for the last decade, the main emphasis in the migration and asylum policies of EU and its Member States has been on entry restrictions and control of migratory flows. This emphasis was confirmed by the Seville European Council of June 2002; its conclusions on migration were concerned mainly with improved border control and migration management, and with measures to persuade countries of origin to re-admit failed asylum seekers. Although the need for comprehensive policies designed to address immediate and fundamental causes of exit from countries of origin has been officially recognised since at least 1992, the record of policy formation and implementation in this area is therefore very uneven. The success of such approaches has

been mixed, and there is a need for systematic evaluation to permit early and co-ordinated responses to emergencies in the future.

The most important need we identified is that for longer-term policies designed to prevent conflict and bring about social, economic and political development. We discussed several aspects of such policies including human rights, humanitarian action, development aid, and trade and investment. In all these areas the available evidence suggests that there is a gap between policies to prevent conflict and forced migration, and actual implementation. This is due partly to lack of resources, but more importantly to policy conflicts, where for instance powerful economic interests stand to lose if human rights and poverty reduction policies are given priority. It also seems that different EU countries and different government departments within each country sometimes pursue conflicting policies. An example is the increase in British Government approvals of arms sales to Israel, Pakistan, Turkey and Saudi Arabia in 2001, despite the high levels of conflict and human rights violations in these regions. This appeared to contradict British and EU guidelines (Norton-Taylor, 2002).

In conclusion therefore, it is clear that there is still a long way to go in addressing fundamental causes of forced migration to the EU. The need for effective co-ordination of external affairs, conflict prevention, development and trade policies within a comprehensive framework is clearly a priority. There is an urgent need to carry out detailed comparative evaluations of the various policy tools that have been tried over the last ten years. This would make it possible to identify promising approaches and best practices, as well as to avoid repeating mistakes made in the past. It is also important to analyse divergences between powerful groups concerned with policy formation within the EU and its Member States. There is an urgent need for 'joined-up' policy-making in which all relevant Directorates-General of the European Commission and all the Member State Governments work together to achieve agreed objectives in addressing the root causes of forced migration.

Endnotes

- 1 Even at the height of the 'asylum crisis' in the early 1990s, refugee populations in the North were tiny compared with some Southern countries. For instance the ratio of refugees to host populations in 1992 was 1:10 in Malawi, compared with 1:869 for Germany and 1:3860 for the UK (Chimni, 1998)
- 2 For a review of the literature and a discussion of the issues see Nyberg-Sørensen, Van Hear, and Engberg-Pedersen (2002).
- 3 The broader category of 'people of concern to the UNHCR' (which includes refugees, some internally displaced persons and some returnees) peaked at 27.4 million in 1995, and was down to 21.1 million in 2000.
- 4 UNHCR (2001, 28)
- 5 Figures for selected OECD countries, including European Economic Area, USA, Canada, Australia and New Zealand
- 6 Figures on IDPs are notoriously unreliable, due to problems of data collection and verification. It is probable that IDP populations were underestimated in the past, and that some of the apparent increase is due to increasing international attention to the issue, and improvements in monitoring mechanisms.
- 7 For a more detailed overview, see the statistical material in Appendix I.
- 8 US Committee on Refugees (2001). *These figures are approximate estimates
- 9 UNDP (1995, 2001)
- 10 UNDP (1995, 2001)
- 11 World Bank (2001); UNDP (1995) *Population density* represents the total number of inhabitants per square kilometre of the surface area. *Life expectancy at birth* represents the number of years a newborn infant would live if prevailing patterns of mortality at the time of birth were to stay the same throughout the child's life. *Adult illiteracy* represents the percentage of people aged 15 and above who cannot, with understanding, both read and write a short, simple statement on their everyday life.
- 12 Based on data in Tables 1-4
- 13 See for example, Robinson (2002)
- 14 See for example, Koser and Pinkerton (2002)

- 15 Although it should be noted that a significant number of applications are made once the individual has arrived in the country of origin, often having arrived legally with a valid visa or passport, or having arrived using forged or false documentation.
- 16 This includes, for example, association agreements such as the Europe agreements, Mediterranean agreements and the Cotonou Agreement (ex Lome Convention).
- 17 A further example of European initiatives which recognise the relationship between, for example, human rights and development is the European Initiative for Democracy and Human Rights (EIDHR) created in 1994, which brought together a series of budget headings specifically dealing with the promotion of human rights.
- 18 The policy on asylum, the free movement of persons, visa policy, rules governing the crossing of the EU's external borders, immigration policy and the rights of nationals of third countries have become a full Community responsibility with the entry into force of the Treaty of Amsterdam on 1st May 1999. Articles 61, 62 and 63 define the objectives to be achieved by the Union in this area. The Treaty establishes that all these measures shall be adopted within five years of entry into force of the Treaty (with the exception of immigration controls, and rights of third country nationals).
- 19 The terms of reference of the group stipulate that the HLWG should make 'proposals for deepening political/diplomatic consultations with the countries concerned and/or neighbouring countries'.
- 20 Indeed, the HLWG has itself noted the need to 'dissipate these misunderstandings' in order to avoid 'a flat refusal by these countries to cooperate in the implementation of the Action Plans' (Union 2000a, paragraphs 53-5).
- 21 Draft Action Plan for Iraq, HLWG on Asylum and Migration, 23.9.99, SN 3769/2 REV, DH G H
- 22 Communication from the Commission to the Council and European Parliament, Brussels 30.05.02 (2002) 261 final
- 23 Commission of the European Communities, Brussels 10.4.002 COH (2002) 175 final
- 24 Roadmap for the follow-up to the Conclusion of the European Council at Seville – Asylum, Immigration and Border Control, Council of the European Union, July 2002 10525/1/02 rev 1. A report will be submitted to the European Council meeting in June

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2003 on the practical implementation of the guidelines set out in the Seville European Council Conclusion.

- 25 Commission of the European Communities, Communication from the Commission to the Council and European Parliament *Integrating Migration Issues in the European Union's Relations with Third Countries*, Brussels, 3.12.02 COM (2002) 703 final
- 26 The following points are based on UNHCR (2000c, 158-183); UNHCR (2000b); and Keeley (2001, 311-13).
- 27 Council Directive 2001/55/EC of 20 July 2001 on minimum standards for granting temporary protection in the event of a mass influx of displaced persons, Art 2a
- 28 Communication from the Commission on Conflict prevention, Brussels, 11.04.2001 COM (2001) 211 final
- 29 Communication from the Commission to the Council and the European Parliament, *The European Union's Role in Promoting Human Rights and Democratisation in Developing Countries*, Brussels, 8.5.01 COM (2001) 252 final
- 30 The recent paper by Sorensen, van Hear, and Engberg-Pedersen (2002) also points out that the impact of democratisation or the promotion of 'good governance' will take time to have an effect – indeed such intervention may stimulate more upheaval and refugee migration in the short run; 'democratisation' may produce a 'refugee hump' which somewhat parallels the 'migration hump' induced by free trade or development
- 31 Although the activities of the High Level Working Group are supported by a specific budget line for co-operation with third countries in the area of migration of around 12.5 million Euro for 2002, this is clearly not sufficient nor intended to support the specific measures required to address the root causes of forced migration to the EU
- 32 See www.cdr.dk/ResTHEMES/conflict/migdevfinal.htm for details of the project and copies of the papers. In order to meet the information needs of the Danish Presidency, which commenced in June 2002, the Ministry of Foreign Affairs/Danish International Development Assistance (Danida) commissioned the Centre for Development Research (CDR) to undertake a six-month study of the relationship between migration and development. The objective of the study is to sensitise policy-makers to the consequences in the migration sphere of development-related interventions, and vice versa, the impacts of migration policies in the development arena: often such consequences are unintended. The underlying working hypothesis is that to explore

the links between policies on migration and development, migrants and their transnational practices must be acknowledged as a development resource.

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