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Unit B1 : Immigration and Integration

MIGRAPOL  
European Migration Network  
Doc 192

**EUROPEAN MIGRATION NETWORK**  
**- SPECIFICATIONS FOR EMN STUDY –**  
**TEMPORARY AND CIRCULAR MIGRATION: EMPIRICAL**  
**EVIDENCE, CURRENT POLICY PRACTICE AND FUTURE**  
**OPTIONS IN EU MEMBER STATES**  
**FINAL Version: 22<sup>nd</sup> March 2010**

**Subject:** These specifications relate to the production of the EMN Study 2010 on "*Temporary and circular migration: empirical evidence, current policy practice and future options in EU Member States*"

**Action:** EMN NCPs are now requested to undertake this activity according to the Timetable given on Page 9. If needed, additional clarifications can be provided on the occasion of the 40<sup>th</sup> EMN NCP meeting.

## I. INTRODUCTION

### a) Study Objectives

The EMN Steering Board approved the selection of a study on *Temporary and circular migration: empirical evidence, current policy practice and future options in EU Member States* as part of the EMN Work Programme 2010. The time period covered by the study will be 2004 to 2009.

The aim of the study is to:

- understand the characteristics of temporary labour migration and circular/repetitive migration patterns of third-country Nationals, including:
  - ❖ the categories, such as the following indicative ones: third-country nationals moving temporarily to the EU for short-term employment, seasonal work, study or research; or settled migrants living in the EU moving temporarily to their countries of origin
  - ❖ the definitions and conceptualisation in the Member States
  - ❖ the criteria and conditions applied in the Member States (e.g., entry conditions, work and residence permits),
- review and analyse existing statistical data and empirical evidence for circular/temporary migration and to examine possible approaches for measuring/estimating whether, and if so to what extent, migration has become increasingly circular or temporary in nature, and
- analyse policy preferences, convictions and conceptualisations of political actors, the research community and other stakeholders (such as immigrants' associations and development agencies) on temporary/circular migration, and to discuss policy options both for the national and the EU level.

The study also aims at responding to requests from the Council through Council Conclusions and the Stockholm Programme regarding further exploration and development of circular migration as a part of EU migration policy (as described below).

Consistent with the remit of EMN and with previous studies, the study will focus on third-country national migrants. However, information and data on *intra-EU mobility* may be included when this is of particular relevance (e.g. following enlargement in 2004 and 2007).

### b) Target Audience

The outcome of this study is primarily intended for:

- National Ministers, national and EU policy officers and other decision makers who concern themselves with migration patterns and the management and control of migratory flows.
- The labour market parties (employers, recruiters, unions).
- Other groups (e.g. NGOs, academic researchers);
- Members of the public with an interest in migration patterns and migration management.

Subject to the agreement of the relevant EMN NCPs, it is expected that the National Reports shall be made publicly available. At least the Synthesis Report shall be published and made available to the wider public.

**c) Rationale and context of study**

Circular and temporary migration is reflecting globalisation, demographic change, new patterns of mobility and the growing demand for flexible labour markets. It also reflects a preference of many of the migrants themselves.

It is not excluded that the economic crisis will trigger more fundamental changes to the human resources strategies of employers. Employers are increasingly looking at ways to hire their labour force under flexible contracts and to limit the hours of work per week. This could mean a structural move towards more short-term, temporary contracts, and less of permanent, life-long positions. This could have implications for and increase the role of recruitment and employment agencies. Another effect may be further impetus towards outsourcing of labour-intensive production to low-cost countries outside the EU.

The ageing of Europe will raise the likelihood that immigration will play a more prominent role in meeting future labour needs. Again, this might contribute to an increased need for short term and temporary contracting. Looking at it from the perspective of developing countries, we see that more focus is being put on local private sector development and that with increasing mobility, possibilities for transnational migrants to assist in development processes also can be increased in the coming years. There is a trend that entrepreneurial development programmes become more practically oriented and that the temporary return of migrants could support such developments.

Given this context, circular migration is a migratory phenomenon that is increasingly being discussed worldwide in terms of effective migration management, as well as a potential contribution to development. Covering migrants at all skills levels, it is viewed as a means to serve the labour market needs of countries of destination, promote development in countries of origin and benefit migrants themselves (the so-called “triple win” situation). Many countries already have temporary migration schemes, e.g. in the area of seasonal work, but also in other sectors of the labour market, including for medium and highly skilled occupations or enabling legal frameworks that facilitate circular migration. However, homogeneous information as regards work permits granted by Member States for temporary employment, as well as information on the scope and substance of the resulting temporary migration patterns remain a desideratum – only very limited empirical evidence and statistical data on the circularity of migration and/or the frequency of temporary migratory movements exist.

Current census data, registration procedures, and surveys that seek to measure the entry and exit of different categories of migrants are largely inadequate. They only provide very rough estimates and cannot indicate the propensity of migrants to return permanently or temporarily. Most data collection systems are still based on the so-called “permanent migration settlement paradigm.”

The fact that circular/temporary migration is difficult to identify and to “quantify” with appropriate statistical indicators, presents a challenge for policymakers. Currently, there is no comprehensive overview of already existing schemes and legislation in European countries that facilitate this migration pattern. A better knowledge on what programmes and legal frameworks for facilitating temporary and circular migration already exist in this field and a better appreciation of the scale and scope of “spontaneously or naturally occurring” temporary/circular migration, would help legislators to take informed decisions and forestall a prolonged theoretical debate on the issue. Most Member States may observe temporary or circular patterns within these established modalities, either by retrospection on temporary labour recruitment in the “guest worker” period, or by consider-

ing current forms of seasonal or intra-agency labour migration (e.g. intra-corporate transferees).

At *European level*, increased attention is being paid to circular and temporary migration as possible tools to improve migration management, to support development in third countries and to prevent “brain drain.” The concept of circular migration is understood as a mobility flow, with a repeat character, of third-country nationals from and to the EU. Another important component of circular migration refers to the mobility of settled migrants or members of diasporas, moving temporarily from their residence in the EU to their former home country or the country of their ancestry to work, study or invest. Circular migration and brain circulation are regarded as a way to mitigate brain drain.

Most recently, the *Stockholm Programme*, adopted in December 2009, called for “ways to further explore the concept of circular migration.” It invites the Commission to submit a proposal before 2012 on “ways to facilitate orderly circulation of migrants, either taking place within, or outside, the framework of specific projects or programmes including a wide-ranging study on how relevant policy areas may contribute to and affect the preconditions for increased temporary and circular mobility.”

Moreover, *Justice and Home Affairs Council Conclusions* of 30 November/1 December 2009 state that the Commission and the Member States commit themselves, for the sake of policy coherence for development in the area of migration, “to further examine issues which may have the potential to facilitate circular migration and voluntary return, such as portability of social rights, migrants’ opportunities to return to their countries of origin for longer periods of time without losing their right to residence in countries of destination as well as the promotion of viable livelihood options in countries of origin.” Council Conclusions also call for an “in-depth qualitative and quantitative analysis in order to further explore the concepts of temporary and circular migration, including their development potential, as well as to explore how they can contribute to and be affected by relevant policy areas.”

Also, the *European Pact on Immigration and Asylum* of October 2008 refers to circular and temporary migration in several of its commitments, including:

- *Commitments I(c): to ensure, in encouraging temporary or circular migration, pursuant to the conclusions of the European Council of 14 December 2007, that those policies do not aggravate the brain drain;*
- *Commitment V(b): “encourage Member States, as far as they are able, to offer the nationals of partner countries to the East and South of Europe opportunities for legal immigration adapted to the labour market situation in Member States, enabling those nationals to acquire training or professional experience and accumulate savings that they can use for the benefit of their home countries. The European Council invites Member States to encourage in this context forms of temporary or circular migration, in order to prevent a brain drain”;*
- *Commitment V(g): “speed up the deployment of the key tools of the Global Approach to Migration (migration balances, cooperation platforms, partnerships for mobility and circular migration programmes), to ensure a balance between the migration routes from the South and those from the East and South-east and take account of the lessons learned in these matters when negotiating EU and bilateral agreements on migration and readmission with countries of origin and of transit, as well as Pilot Mobility Partnerships”.*

The European Commission, in a Communication of June 2008 on a *Common Immigration Policy for Europe*<sup>1</sup>, stressed the need to effectively manage migration flows through cooperation with third countries, including, inter alia, possibilities for legal circular migration. Furthermore, it pointed at the need to explore the links between circular patterns of immigration and integration in host Member States. The European Parliament, while reiterating the need to increase the attractiveness of the EU for highly qualified workers, pointed at options to mitigate brain drain phenomena through temporary or circular migration in conjunction with other development-oriented measures (European Parliament resolution of 22 April 2009 on a *Common Immigration Policy for Europe: Principles, actions and tools*<sup>2</sup>). It called on the Commission and Member States to develop mechanisms, guidelines and other tools to facilitate circular and temporary migration.

Also, earlier *Council Conclusions of December 2007* underlined that "Circular migration can be useful in promoting the development of countries of origin or mitigating the adverse effect of brain drain. In further developing policies and launching initiatives to this end, circular migration could be understood as the temporary, legal movement of people between one or more Member States and particular third countries, whereby third country nationals taking up legal employment opportunities in the EU or persons legally residing in the EU going to their country of origin. Where this meets the identified labour needs of countries of origin and destination, this can be beneficial to all involved and can contribute to co-development. This may include, for example, voluntary service, periods of study or training in the EU, and exchanges of different kinds."

A Communication on circular migration and mobility partnerships between the European Union and third countries, of 16 May 2007<sup>3</sup>, already stressed the need to further develop circular migration both as a concept and in practice, to help Member States in addressing their labour needs while also addressing the development needs of countries of origin and mitigating the impact of brain drain. It called for increased coordination and cooperation between the Commission and Member States, as well as dialogue with third countries.

*At national level*, the first analysis of the EMN NCP 2009 Annual Policy Reports (tracking method) has revealed that indeed several Member States are planning or already implementing policies and/or practices that incorporate aspects of circular and temporary migration. Some examples are provided below. The analysis also showed that some Member States do not intend to develop policies and/ or measures in this area.

**Belgium** allows for the issuing of multiple-entry visas to certain categories of migrants in a more flexible way. Other legal provisions allow third country nationals to return to their country of origin for a certain period of time, without losing their Belgian residency. **Sweden** also allows long-term residents to return for a maximum period of 12 months. **Belgium** also participates in the "MIDA Grands Lacs" programme which enables members of the Central African diaspora to return temporarily to their country of origin in order to participate in development projects. A similar programme is being developed in Morocco. The government is currently considering the creation of a new mechanism to promote circular migration. **France** has concluded agreements with third countries on circular migration, which offer the possibility to third country nationals to acquire new skills in

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<sup>1</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0359:FIN:EN:PDF>

<sup>2</sup> <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2009-0257+0+DOC+XML+V0//EN>

<sup>3</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0248:FIN:EN:PDF>

France through a temporary visa which thus entails an obligation to return. **Hungary**, in its migration strategy, stresses the importance of adopting legislation which removes the barriers to international mobility and employment of scientists and researchers.

The **Netherlands** has set up a pilot project on circular migration, involving a small group of labour migrants trained at secondary educational level from Indonesia and South Africa. These persons are allowed to “work and learn” in the Member State for a maximum of two years, in particular in areas in which labour shortages are occurring. The government is also considering the further promotion of circular and temporary labour migration. Part of **Spain**’s labour migration programme is aimed at temporary migration, hence requiring the migrant to return to the country of origin. However, migrants who did return to their home country can benefit from facilitated entry into Spain after one year.

**Sweden** allows all legal residents to carry over their income-related social benefits. After having adopted a new demand-driven policy for labour migration in December 2008, Sweden appointed a parliamentary committee in July 2009 that is examining how people's increased mobility to and from Sweden can be facilitated, and how the positive development potential of this mobility can be promoted. The committee will: 1) map examples of circular migration to and from Sweden and point out if and where more research is needed; 2) analyze positive and potential negative effects of circular migration to and from Sweden; 3) analyze how migration policy, development policy and a number of other policy areas affect migrants opportunities/possibilities to engage in circular migration and/or voluntary return; 4) propose possible measures that are deemed necessary to facilitate circular migration to and from Sweden and to maximize its development potential.

This study in the framework of the EMN shall contribute to the development of EU policy proposals on temporary and circular mobility by improving the methodology and the knowledge base on the circularity and timeliness of migration. This will entail analysing the respective policy practices and identifying future options, also with regard toward the proposal for an EU Directive on the conditions of entry and residence of seasonal workers. It could also be relevant for the review of the long-term residents’ directive, due early in 2011, and for the implementation of the Blue Card directive by Member States (deadline June 2011).

#### **d) Definitions and understanding of the terms used**

The EMN Glossary<sup>4</sup> has a number of terms related to migration. To the extent possible, the definitions in the EMN Glossary should be used for your National Report in order to ensure a comparative description based on the same, common definitions. The Methodology section of your National Report should explain whether these common and/or national definitions were used.

According to the EMN Glossary, the definitions for circular migration and Temporary Migration are:

##### **Circular Migration** **(COM(2007) 248 final)**

The two main forms of circular migration which could be most relevant in the EU context are:

##### **(1) Circular migration of third-country nationals settled in the EU**

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<sup>4</sup> Available at: <http://emn.sarenet.es/Downloads/prepareShowFiles.do?directoryID=117>

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This category of circular migration gives people the opportunity to engage in an activity (business, professional, voluntary or other) in their country of origin while retaining their main residence in one of the Member States. This covers various groups, for instance:

- Business persons working in the EU and wishing to start an activity in their country of origin (or in another third country); and
- Doctors, professors or other professionals willing to support their country of origin by conducting part of their professional activity there.

### (2) Circular migration of persons residing in a third country

Circular migration could create an opportunity for persons residing in a third country to come to the EU temporarily for work, study, training or a combination of these, on the condition that, at the end of the period for which they were granted entry, they must re-establish their main residence and their main activity in their country of origin. Circularity can be enhanced by giving migrants the possibility, once they have returned, to retain some form of privileged mobility to and from the Member States where they were formerly residing, for example in the form of simplified admission/re-entry procedures.

This category covers a wide array of situations, spanning the whole spectrum of migrants, including:

- Third-country nationals wishing to work temporarily in the EU, for example in seasonal employment;
- Third-country nationals wishing to study or train in Europe before returning to their country;
- Third-country nationals who, after having completed their studies, wish to be employed in the EU (for example as trainees) to acquire professional experience which is difficult to obtain at home, before returning;
- Third-country researchers wishing to carry out a research project in the EU;
- Third-country nationals, who wish to take part in intercultural people-to-people exchanges and other activities in the field of culture, active citizenship, education and youth (such as, for example, training courses, seminars, events, study visits);
- Third-country nationals who wish to carry out an unremunerated voluntary service pursuing objectives of general interest in the EU.

### Temporary Migration

#### *(Derived by EMN)*

Migration for a specific motivation and/or purpose with the intention that afterwards there will be a return to country of origin or onward movement.

Related Term: Short-Term Migrant, Permanent Migration

#### Note:

With regard to the development of EU policy, this may be seen in the context of *inter alia* circular migration and/or seasonal workers.

With regard to the differences between these two terms, *Circular Migration* may be considered in the context of a *back-and-forth movement* between the EU and the country of origin, which is enabled by, for example, simplified admission/re-entry procedures for this type of migrants; whilst *Temporary Migration* refers more to a single movement and then *limited stay* in the EU. Depending on the definitions for these two terms developed in your Member State, these may or may not in-

clude references to a (minimum or maximum) duration of time.

**e) Previous outputs/studies**

There has been one related EMN Ad-Hoc-Query, namely:

- *Circular Migration Schemes* (March 2009)

In addition, some useful references may also be included from the 2006 EMN study on the “*Conditions of entry and residence of third country Highly-skilled workers in the EU.*”

There have also been several external studies, papers and other documents which may be relevant, namely:

- Anja Wiesbro and Hildelgard Schneider, *Circular Migration and Mobility Partnerships*, Briefing paper prepared for the LIBE committee, February 2009, <http://www.ceps.be/system/files/old/circular.pdf>
- Sergio Carrera and Raül Hernández i Sagrera, *The Externalisation of the EU’s Labour Immigration Policy: Towards mobility or insecurity partnerships?* CEPS, 23 October 2009, [www.ceps.be/ceps/download/2180](http://www.ceps.be/ceps/download/2180)
- Cassarino Jean-Pierre, *EU mobility Partnerships: expression of a new compromise*, European University Institute, September 2009, <http://www.migrationinformation.org/Feature/display.cfm?ID=741>
- Katleen Newland, Aaron Terrazas, Dovelyn Rannveig Agunias, *Learning by doing: experiences of circular migration*, September 2008, <http://www.migrationpolicy.org/pubs/Insight-IGC-Sept08.pdf>
- Steve Vertovec, *Circular migration: the way forward in global policy?*, 2007, International Migration Institute, University of Oxford, <http://www.imi.ox.ac.uk/pdfs/wp4-circular-migration-policy.pdf>
- S. Angenendt, “*Circular Migration: A Sustainable concept for migration policy?*”. SWP Comments n. 11, German Institute for International and Security Affairs, June 2007, [http://www.swp-berlin.org/common/get\\_document.php?asset\\_id=4058](http://www.swp-berlin.org/common/get_document.php?asset_id=4058)
- Jeff Dayton-Johnson, Louka T. Katseli, Gregory Maniatis, Rainer Münz, Demetrios Papademetriou, *Gaining from Migration: Towards a New Mobility System*, OECD, September 2007, (cost 24 Euros), <http://www.oecdbookshop.org/oecd/display.asp?k=5L4MJZ7DQVJG&lang=fr>
- List of bibliography on circular migration derived from the “Migration Information Source” of the Migration Policy Institute can be consulted at: <http://www.migrationinformation.org/results.cfm>
- CARIM (Consortium for Applied Research on International Migration) co-financed by the EC: research on circular migration, <http://www.carim.org/index.php?areaid=8&contentid=210&sortVar=country&pubResTopic=5&hideSearch=TRUE&callSeries=5>
- MIREM: Research on Return Migration to the Maghreb. Some aspects are related to circular migration: <http://www.mirem.eu>

A full list of EU policy and other documents is provided in Annex 1.

## **II. IMPLEMENTATION OF STUDY**

Each EMN NCP shall participate in the study, producing a National Report which, whenever possible, should be prepared in cooperation with their national network members. The National Reports of the study should be based on recent and current information at the Member State level.

Following a desk analysis of current publications, statistics, press and other media documents, etc, each EMN NCP shall provide its main findings. All documents used for producing the National Report should be listed in an Annex and eventually entered into the EMN's Information Exchange System. Consistent with the EMN's objective and the desk research approach, the focus should be on analysing and/or synthesising all documentation collected, with a view to providing information which you, as EMN NCP (and possibly your national network members) consider to be relevant, useful and meeting the needs of policymakers.

Given that some Member States have little experience with circular and temporary migration, and that in others the political debate on this type of migration has only just started, it may also be useful to consult other sources of information, for example through stakeholder interviews.

The National Reports be submitted by 12<sup>th</sup> October 2010. The report should be as concise as possible, not exceeding 20-30 pages (excluding Tables of data and Annexes), although this will very much depend on the information available in your Member State. In the Specifications below, an indication is given for the expected number of pages of each report Section.

EMN NCP meetings will serve to review and improve the specifications, and to monitor progress made with regard to the preparation of the National Reports. If necessary, minor adjustments can be made to the Specifications in the light of the experience gained while undertaking the study. Further EMN NCP meetings will also be used to discuss and test the first findings and trends identified for the Synthesis Report and to finalise the latter. The Synthesis Report shall, in accordance with the Synthesis Report Guidelines (MIGRAPOL EMN Doc 75) adequately and correctly reflect the key findings from each National Report. The Synthesis Report will highlight the most important aspects and place these as much as possible within an EU perspective (a first summary of which is provided in section I.c above). It will be important to explore the extent to which the EMN study can help to meet the specific requests of the Stockholm Programme.

## **III. TIMETABLE**

The timetable for the study is set out below. It is, however, stressed that there is certainly benefit in undertaking this study simultaneously with the study on satisfying labour demand through migration.

|                               |  |
|-------------------------------|--|
| 4 <sup>th</sup> February 2010 | Discussion of draft specifications at 39 <sup>th</sup> EMN NCP meeting and written procedure to finalise the specifications, followed by the launch of the study mid-March 2010. |
| 15 <sup>th</sup> April 2010   | Discussion on progress on the study, also at subsequent EMN NCP meetings. A workshop, if deemed necessary, could also be envisaged.  |
| 12 <sup>th</sup> October 2010 | Provision of Final National Reports to Commission and EMN  |

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Service Provider

4<sup>th</sup> November 2010 First discussion of Synthesis Report at 44<sup>th</sup> EMN NCP meeting

15<sup>th</sup> December 2010 Finalisation of Synthesis Report at 45<sup>th</sup> EMN NCP meeting

### **IV. COMMON SPECIFICATIONS FOR NATIONAL REPORT**

The following template has been developed for the individual National Reports, which shall be followed by all EMN NCPs in order to ensure comparability between National Reports and to facilitate the production of the Synthesis Report.

Statistics shall, to the extent possible, also be provided according to the details given in Section 3. The aim is to provide the data that you have in order to then see what data are available and how these data may be presented in the Synthesis Report. If you are unable to provide data to the level of detail suggested, this is acceptable, since again the aim is to obtain the data that is available in your Member State.

For some Member States, who have few data, data protection legislation might prevent them from publishing the data. Consequently, any tables in the Synthesis Report for comparing the data between Member States shall ensure that such legislation is respected. Each EMN NCP is requested to provide their National Reports with the data they have available and it shall then be decided how best to create tables for the Synthesis Report. Data which is subject to data protection legislation should be provided in the Tables only, not in the general text. This will facilitate the publication of the National Report with the Tables removed.

## **TEMPORARY AND CIRCULAR MIGRATION: EMPIRICAL EVIDENCE, CURRENT POLICY PRACTICE AND FUTURE OPTIONS IN <MEMBER STATE NAME>**

### ***Executive Summary (up to two pages)***

The Executive Summary should summarise the report, focussing on key findings and messages that you consider are of most relevance to policymakers. It should be organised according to the main Sections of your National Report.

### **1. INTRODUCTION: PURPOSE AND METHODOLOGY FOLLOWED (3-4 pages)**

State the aims of the study, as listed in this document, plus any specific ones established at national level. This is primarily for the benefit of those readers who will see only the National Report. Where possible, indicate who is likely to find the report most useful, and for what purpose, in your Member State.

#### **1.1 Methodology**

With regard to methodology, explain how your National Report was produced and who has contributed to the study. Explain also how your National Report would add to/complement the information already available (published). In particular, information on the following should be provided:

- the methods used in identifying and selecting sources of data, databases used and criteria followed (such as data/research quality) for including a source;
- an overview of the type and sources of information used, including existing studies;
- which, if any, organisations/institutions have been contacted to obtain the relevant information;
- what problems were encountered in doing the study;
- whether some aspects (or statistics) could not be addressed (or provided) in accordance with these specifications (if alternative information is provided, outline how it should be interpreted with relation to what is requested in these specifications);
- whether there are reservations/caveats one should apply to any of the findings and, if so, how.

#### **1.2 Definitions**

In order to get a better insight into this topic, it is proposed that all EMN NCPs follow their own national definitions of the terms “circular” and “temporary” migration based on national legislation, e.g. reflecting periods of stay and conditions for repeat mobility, skills levels, occupations or sectors. These definitions should be described and differences to related terms, such as “return migration” should be clarified. National definitions, if available, should then be compared to the definitions given in Section 1.d). Please also indicate whether the national understanding of “circular” and “temporary” migration includes a (minimum or maximum) duration of time.

### **2. APPROACH TO CIRCULAR AND TEMPORARY MIGRATION IN [MEMBER STATE] (10-15 pages)**

Provide an overview of your Member States’ approach / vision, experiences, policies and legislation in relation to circular and temporary migration. Where applicable, reference should be made to the EMN study on labour shortages. Particular aspects to consider in this Chapter are:

## 2.1 National vision, policy and programmes

- What vision does your government have on the role of circular and temporary migration as part of your Member State's:
  - overall approach to legal immigration;
  - approach to addressing labour shortages in your labour market;
  - offering a livelihood strategy to international migrants;
  - counteracting brain drain; and
  - promoting development in countries of origin?

To what extent has this vision changed in the last five years?

- Is circular migration perceived as a migration pattern which can / should be promoted by the government?
- Are there any specific policies or programmes in place in your Member State regarding circular and temporary migration? If so, how are these programmes organised? What type of migrants do these target (e.g. from which countries / world regions, with which skills levels, etc)?
- Is there a return dimension to the policies and/or programmes mentioned above and/or is your Member State taking part in other European or International programmes which promote a return dimension in this context (i.e. exclude return programmes for, for example, illegally staying third-country nationals)? If so, what does it consist of? Does this dimension allow for 'back and forth' movements?
- Have your Member State's policies or programmes regarding circular and temporary migration been evaluated as regards their effectiveness in achieving policy goals concerning labour shortages, migrant's livelihood and promotion of development (i.e. can the 'triple-win' be fully achieved?).
- Apart from the government, what is the attitude of the general public, the business Community and unions, research institutions, Think Tanks, NGOs and/or other civil society groups (including organisations representing migrants) towards circular and temporary migration?

## 2.2 National legislation, conditions, criteria and enforcement

- Is there a legislative framework in your Member State that facilitates increased and repetitive back-and-forth mobility? If so, what are the main characteristics of this framework and the main rights provided (i.e. dual nationality, working conditions, portable social benefits, possibility of absence without loss of residency status)?
- Which criteria and conditions (entry / re-entry, work and residence permits, etc) does your Member State apply for migrants who are taking part in circular and temporary migration programmes? Do you also encourage migrants who are already legally residing in the Member State to participate in circular or temporary migration programmes?
- How are rules on circular and temporary migration enforced and controlled (i.e. to penalise breaches in case, for example, of non-return and/or to reward compliance)? Has enforcement and control of these rules changed in the last five years and / or are any changes planned?
- Are there any other legislative, administrative, or other policy measures in your Member State which nevertheless impact upon temporary and circular migration, even if they are not defined as part of a government vision of this issue?

### 2.3 Co-operation with Third Countries

- To what extent does your Member State cooperate with relevant Third Countries within the framework of the implementation of its policies and/or the design and implementation of its programmes regarding circular and temporary migration (e.g. in the form of agreements with the countries concerned)?
- Does your Member State participate in “Mobility Partnerships” with Third Countries? If so, is circular migration addressed in the framework of these Partnerships? What are your Member State’s experiences with mobility partnerships addressing circular migration?

### 2.4 Other aspects

- To what extent is there evidence in recent years to indicate that third-country nationals are interested in returning to the country of origin?
- Or is there evidence, in particular since the implementation of the EU’s long-term residence directive, which would suggest that a proportion of third-country nationals prefer moving to other Member States instead?
- Or is there evidence that participants in circular migration programmes wish to stay in the Member State permanently?

Further *optional* aspects could also be addressed, such as for instance:

- How does your Member State address the relationship between circular / temporary migration and integration, both from a legal and a diversity perspective?
- In what way does your Member State address the problem of “brain drain” in developing countries, in the context of policies concerning temporary or circular migration?
- What future economic and policy-related possibilities and “environment” for circular migration does your Member State expect for the next 5-10 year period?
- How has your Member State implemented (or plans to implement) the provisions of EU legislation (i.e. the long-term residents’ directive, the Blue Card directive) that are particularly relevant to the issue of circular migration – i.e. the rules concerning acquisition, retention and facilitated re-acquisition of long-term residence status after specified periods spent outside the Member State concerned?

## **3. DATA ON CIRCULAR AND TEMPORARY MIGRATION (5-7 pages)**

As it can be expected that many Member States do not have extensive statistics on circular migration, priority in this chapter should be given to presenting what data are available for the period 2004-2009 and what might be possible improvements of data collection. Aspects to consider are in particular:

- What statistics are available on temporary or circular migration, such as with regard to the numbers of persons admitted as part of such schemes, the amount of time spent in the country, and/or other relevant statistical data?
- Does your Member States have evidence / data which can measure / estimate whether, and if so to what extent, migration is circular or temporary in nature (e.g. data on temporary work permits, rates of temporary return and re-entry)?

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- Do you have any other indications as to whether international migration is becoming increasingly circular / temporary?
- How could data collection methods be further developed in order to be able to measure circular migration? Would there be a need to change current EU data collection rules to better capture this phenomenon?
- If available, qualitative research studies providing evidence on patterns of circular migration among distinct groups of migrants or between certain regions could also be taken into account.

### **4. CONCLUSIONS (3-4 pages)**

This Section should address, also in the context of the EU policy framework outlined in Part Ic) of these specifications, the following:

- Can you identify any ‘best practices’ as regards the management of circular / temporary migration?
- Which political options exist in terms of enhancing the positive aspects of circular migration, both at a national and a European level?
- Are there any recommendations as far as data collection / the gathering of empirical evidence are concerned?
- Can you identify any recommendations as far as co-operation with migrants’ countries of origin (Third Countries) are concerned?

### **ANNEX(ES)**

1. Bibliography of sources used to produce your National Report.

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**Annex 1: List of EU policy and other relevant documents**

- [New Skills for New Jobs: Action Now](#) (Report by the Expert Group on New Skills for New Jobs, February 2010)
- [The Stockholm Programme – An important and secure Europe serving and protecting the citizens – Council 17024/09](#) (Council Conclusions, December 2009)
- [Joint Declaration on a Mobility Partnership between the European Union and Georgia – Council 16396/09](#) (Council of the European Union, November 2009)
- [Labour Migration and its Development Potential in the Age of Mobility – Draft Council Conclusions 15823/09](#) (Council Conclusions, November 2009)
- [Mobility Partnerships as a tool of the Global Approach to Migration – Draft Council Conclusions 15811/09](#) (Council Conclusions, November 2009)
- [Policy Coherence for Development – Draft Council Conclusions on Migration for Development 15806/09](#) (Council Conclusion, November 2009)
- [Draft Commission Regulation implementing Regulation \(EC\) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection, as regards the definitions of categories of the reasons for the residence permits – Council 15556/09](#) (Council of the European Union, November 2009)
- [Preparation of the third meeting of the Global Forum on Migration and Development – Draft EU position Council 14501/09](#) (Council of the European Union, October 2009)
- [Policy Coherence for Development - Establishing the policy framework for a whole-of-the-Union approach – COM\(2009\) 458](#) (Commission Communication, September 2009)
- [EU 2009 Report on Policy Coherence for Development – COM\(2009\) 461](#) (Commission Report, September 2009)
- [EU 2009 Report on Policy Coherence for Development – SEC\(2009\) 1137](#) (Commission Staff Working Document, September 2009)
- [Mobility partnerships as a tool of the Global Approach to Migration – SEC \(2009\) 1240](#) (Commission Staff Working Document, September 2009)
- [A Common Immigration Policy for Europe: Principles, Actions and Tools – Resolution 2008/2331](#) (European Parliament Resolution, April 2009)
- [Green Paper on the European Workforce for Health – COM\(2008\) 725](#) (European Commission, December 2008)
- [Eastern Partnership – COM\(2008\) 823](#) (Commission Communication, December 2008)

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- [Comprehensive approach to migration - Briefing on the outcome of the second Euro-African Ministerial Conference on Migration and Development – Council 16149/08](#) (Council Briefing, November 2008)
- [The evaluation of the Global Approach to Migration and the partnership with countries of origin and transit – Draft Council Conclusions 16041/08](#) (Council Conclusions, November 2008)
- [Strengthening the Global Approach to Migration: Increasing Coordination, Coherence and Synergies – COM\(2008\) 611](#) (Commission Communication, October 2008)
- [European Pact on Immigration and Asylum – Council 13440/08](#) (Council Document, September 2008)
- [A Common Immigration Policy for Europe: Principles, actions and tools – COM\(2008\) 359](#) (Commission Communication, June 2008)
- [Enhancing the Global Approach to Migration - Council Conclusions 9604/08](#) (Council Conclusions, May 2008)
- [Joint Declaration on a Mobility Partnership between the European Union and Moldova – Council 9460/08](#) (Council of the European Union, May 2008)
- [Joint Declaration of a Mobility Partnership between the European Union and the Republic of Cape Verde – Council 9460/08](#) (Council of the European Union, May 2008)
- [Skill needs in Europe: Focus on 2020](#) (CEDEFOP - European Centre for the Development of Vocational Training, 2008).
- [Mobility Partnerships and Circular Migration in the Framework of the Global Approach to Migration – Draft Council Conclusions 16283/07](#) (Council Conclusions, December 2007)
- [Towards a Common Immigration Policy – COM\(2007\) 780](#) (Commission Communication, December 2007)
- [Towards a Common Immigration Policy – Interim progress report on the Global Approach to Migration – SEC\(2007\) 1632](#) (Commission Staff Working Document accompanying Commission Communication, December 2007)
- [Applying the Global Approach to Migration to the Eastern and South-Eastern Regions Neighbouring the European Union – COM\(2007\) 247](#) (Commission Communication, May 2007)
- [Circular Migration and Mobility Partnerships between the European Union and third countries – COM\(2007\) 248](#) (Commission Communication, May 2007)
- [European Council Conclusions 14/15 December 2006 – Presidency Conclusions 16879/1/06](#) (Presidency Conclusions, February 2007)

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- [The Global Approach to Migration one year on: Towards a comprehensive European migration policy – COM \(2006\) 735](#) (Commission Communication, November 2006)
- [Strengthening the European Neighbourhood Policy – COM\(2006\) 726](#) (Commission Communication, November 2006)
- [European Council Conclusions 15/16 December 2005 – Presidency Conclusions 15914/1/05](#) (Presidency Conclusions, January 2006)
- [Policy Plan on Legal Migration – COM\(2005\) 669](#) (Commission Communication, December 2005)
- [EU Strategy for Action on the Crisis in Human Resources for Health in Developing Countries – COM\(2005\) 642](#) (Commission Communication, December 2005)
- [Priority actions for responding to the challenges of migration: First follow-up to Hampton Court – COM\(2005\) 621](#) (Commission Communication, November 2005)
- [Migration and Development: Some Concrete Orientations – COM\(2005\) 390](#) (Commission Communication, September 2005)
- [Integrating Migration Issues in the European Union's relations with Third Countries – COM\(2002\) 703](#) (Commission Communication, December 2002)