# Migration Futures: Conflict or Cohesion in the European Union?

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## Migration Futures: Conflict or Cohesion in the European Union?

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It is an honour to be speaking to you tonight, in this internationally renowned university, on a sensitive issue which touches all our lives: migration, and the integration of migrants into our diverse societies.

In the last two months alone, two incidents in Britain have illustrated the extent of the challenge that we face. The first took place in a village in Sussex where it has long been a tradition, as elsewhere in the country, to celebrate the exposure of a conspiracy to blow-up our Parliament —with 36 barrels of gunpowder— in 1605!

This year however, the village committee decided that the focus of the occasion —an effigy set alight on a village bonfire— should not represent that ancient conspiracy, but a thoroughly modern prejudice. The effigy the village committee set alight this bonfire night was a Gypsy caravan, with the faces of women and children at its window. While some villagers took their children away in horror at what this implied, many did not.

The second incident was very different. But it also illustrated that, despite nearly forty years of legislation in Britain to tackle racial discrimination and promote good race relations, we still have a long way

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<sup>&</sup>lt;sup>1</sup> Firle, East Sussex, 25 October 2003.

to go. A BBC journalist became a police trainee in order to investigate, undercover, the attitudes of police recruits towards ethnic minorities. Over a period of months, without the knowledge of his fellow recruits, he filmed their private conversations.

The outcome, a television programme broadcast by the BBC<sup>2</sup> in October revealed extreme prejudice among the recruits towards Asian people in particular and their overt intent, when policing the streets, to treat Asian men and women unfairly.

The officers concerned have resigned, and a series of steps are now being taken by the authorities to ensure that people with such attitudes are not recruited in future.

I have deliberately, tactfully I hope, chosen examples from the UK. But there is evidence across the European Union that sections of society have not yet accepted the cultural diversity to which migration contributes.

#### We see it:

- —in the support secured by politicians of the far right,
- —in opinion poll data on attitudes towards migrants, and
- —in a particular hostility to Muslims, exacerbated by September 11<sup>th</sup> and subsequent international events.

It is also true that, among all the evidence we can cite of the successful integration of migrants —of individuals whose social, cultural and economic contribution to our societies is unquestioned—there is among a minority some evidence of political disaffection, or of extreme religious or cultural practices, that cause concern.

Only last Thursday a young British man of Asian origin, living in the south of England, was apparently found in possession of explosives and arrested as a suspected member of Al-Qaida.

In these circumstances, with rising levels of migration, we have to ask ourselves: are we heading for conflict, or cohesion in the European Union? That is the subject of my address tonight.

<sup>&</sup>lt;sup>2</sup> The Secret Policeman, BBC 1, 21 October 2003.

### **Lesson from history**

The global experience of migration is longstanding. Yet it seems we have not yet learnt to manage it well. Post war migration to Europe, as one of my Oxford colleagues has written, is a history of «unforeseen developments and unintended consequences»<sup>3</sup>.

Non-EU citizens form no more than four per cent of our population in Europe. But they have brought challenges and opportunities that few anticipated when the first post war labour migrants arrived in Northern Europe.

Nor perhaps anticipated here in Southern Europe where you have —within such a short space of time—found yourselves transformed from countries of emigration to highly desired countries of destination.

In 1985, there were only 242,000 legal migrants in Spain. By 2001 there were more than one million, their numbers increasing by 24 per cent in that year alone. Migrants still form less than 3 per cent of your population, but the countries from which they come are increasingly diverse: there are now 20 countries with more than 50,000 of their citizens here<sup>4</sup>.

And if we look at the UK, we find 4 per cent of the population are non-citizens. Ethnic minorities —including second and third generations, now make up 8 per cent of our population in total; 29 per cent of Londoners and more than 10 per cent of our school children.

And in the UK, as here, migrants are increasingly diverse. In London's schools, there are children with 200 different first languages. The schools in the London borough neighbouring my own contend with no less than 183.

European governments are now tolerating or welcoming labour migration to fill skill and job shortages; yet are concerned that previous

<sup>&</sup>lt;sup>3</sup> Randall Hansen (2003), «Migration to Europe since 1945: Its history and its lesson», in Spencer, S, *The Politics of Migration, Managing Opportunity, Conflict and Change,* Blackwell.

<sup>&</sup>lt;sup>4</sup> Joaquin Arango (2000), «Becoming a country of immigration at the end of the twentieth century: the case of Spain», in Russell King, G. Lazaridis and C. Tsardanidis, eds., *Elderado or Fortress? Migration in Southern Europe*. London: MacMillan; and Wayne A. Cornelius, *Spain, the uneasy transition from labor exporter to labor importer*, (forthcoming in Cornelius, W.A., Martin, P.L. and Hollifield, J.F. (eds.), *Controlling Immigration: A Global Perspective*. Stanford University Press).

cohorts of migrants are disproportionately unemployed. Across Europe, the employment rate of EU nationals is 64 per cent (64.4), but of non EU nationals only 53 per cent (52.7).

And levels of hostility to asylum seekers, whose numbers in Europe rose dramatically over the past decade, are unprecedented.

Demetri Papademetrios, Director of the Migration Policy Institute in Washington, suggests that we fail to manage migration well for three reasons:

- —because the speed of change challenges our sense of identity and continuity;
- —because managing migration requires political and policy tradeoffs which bring benefits to some but costs to others; and
- —because the inherent difficulty in managing migration exposes weaknesses in our systems of governance, particularly in law enforcement, which sap public confidence in the capacity of our governments to govern in our interests<sup>5</sup>.

To those plausible explanations I might add a fourth: the absence, for the public, of any clear rationale for this most visible change that they see unfolding before them.

In the past, European governments sought to maintain a pretence that theirs were countries of zero immigration. As the numbers of asylum seekers have grown and legal and irregular migrants drawn into our labour hungry economies, the public have seen the fallacy of this claim and some have resented the presence of people for whom no explanation has been provided.

#### Winners and losers

A vast body of research demonstrates the significant benefits which this migration brings —to our economies, and in the rich diversity migrants contribute to our social and cultural life.

<sup>&</sup>lt;sup>5</sup> Demetrios Papademetriou (2003), «Managing Rapid and Deep Change in the Newest Age of Migration», in Spencer, S, *The Politics of Migration, Managing Opportunity, Conflict and Change, Blackwell.* 

How dull our cities would be without the infusion of ideas, fashion and cuisine that their cosmopolitan mix provides. How much poorer our professional lives without colleagues from across the globe. How depleted our hospitals, our hotels and farms.

Are there indeed some of us able to be here tonight only because a migrant helps to baby-sit our children, or clean our home?

In the future, Europe's ageing population and declining population of working age will create further demand for migrant workers<sup>6</sup>. Spain, with an average fertility rate of only 1.2 children per woman, has I believe the lowest fertility rate in the world<sup>7</sup> and a life expectancy higher than in America.

For the EU as a whole, if we had zero net immigration over the next 50 years, the population would *fall* by 12 million and the workforce decline by 18 per cent. The consequent loss in production and consumption would reduce Europe's share of global GDP from 18 to 10 percent and the number of pensioners each worker supports would double<sup>8</sup>.

The message is clear: if we do not import migrants to fill the jobs, we shall have to export the jobs —as is already happening— to them.

Unfortunately, however, the benefits of migration are not evenly distributed. There can be winners and losers. True, the evidence shows that migrants largely take jobs that no one else wants, or for which there is a shortage of people with the necessary skills.

But some low skilled workers may face competition from more mobile, flexible migrants willing to work for less. And others may blame migrants for their failure to find housing; or for delays in accessing health care.

Their concerns need to be seen in the context of the broader insecurities which sections of European society face as a result of globalisation. The visible presence of «outsiders» can be but a focus for wider economic and social problems for which they get the blame.

<sup>&</sup>lt;sup>6</sup> Marco Doudeijns and Jean-Christophe Dumont, «Immigration and Labour Shortages: Evaluation of Needs and Limits of Selection Policies in the Recruitment of Foreign Labour», paper for the OECD/EC conference on the Economic and Social Aspects of Migration, 21-22 January 2003, Brussels.

<sup>&</sup>lt;sup>7</sup> Wayne A. Cornelius, op. cit.

<sup>&</sup>lt;sup>8</sup> David WILLETS (2003), *Old Europe? Demographic Change and Pension Reform*, Centre for European Reform.

But the tensions to which migration gives rise regularly catapult governments into reacting to events, with little calm, political water in which to consider their options.

# **Competing objectives**

To reconcile the multiple trade-offs that managing migration requires —governments need to stand back and consider the goals they are trying to achieve: that their goal in managing migration is not only:

- —to meet the needs of the labour market,
- —or to protect national security,
- —or promote social cohesion,
- —respect human rights obligations
- or promote international development and cooperation but to achieve all of these objectives —objectives which can sometimes conflict.

The needs of the labour market, or our international human rights obligations may sometimes demand a relaxation of immigration controls, for instance, when concern to promote social cohesion, or to protect the skill base of developing countries, may urge caution.

But governments have been unwilling to lead an open debate on migration options for fear of provoking public hostility. Our political debate is so polarised between those who deny that migration brings any benefits and those, defending the rights of migrants, who are unwilling to acknowledge that it brings costs, that there is little political space to debate the real choices facing policy makers and explore alternative policy levers.

#### The real decisions:

- —how to balance the demands of employers for migrant workers against the concerns of the domestic labour force, for instance:
- —how to reconcile our need for skilled workers against the costs this can impose on the developing countries that trained them
- —whether to impose visas as a means of immigration control or not do so because of the damage it would do the tourist industry
- —whether to allow migrants access to the public services that will increase their capacity to integrate or restrict access to deter unwanted migrants and appease public opinion; or

—whether to have an amnesty for illegal workers, to recognise their defacto status as residents, or not do so because it will encourage more to come are taken behind closed doors.

As a result, the public believe their concerns are ignored while remaining remarkably ignorant of the facts. Britain's public think, for instance, that the UK takes 23 per cent of the world's refugees. The truth, in fact, is less than 2 per cent.

#### Management not denial

Yet migration is here to stay. We cannot turn back the clock, nor close the door —even if we wanted to do so. Employers will continue to demand access to migrants with skills local workers lack; and if governments say no, competitiveness and productivity will decline.

Employers will also continue to need the low skilled workers who do the high risk, temporary and often low paid work that our citizens are no longer willing to do, because for them better opportunities becken.

And the door will not only have to remain open for overseas workers.

Global poverty and instability will continue to ensure a stream of migrants seeking protection or economic security within our borders.

And those who are given permission to stay in the long term will have the right to be joined by their family. One in five immigrants interviewed in a recent Spanish survey said that they came to Spain because they already had relatives living here<sup>9</sup>.

Migration is a permanent part of our future, with all the opportunities, and challenges that it brings. There is much scope for debate:

- —on how many labour migrants we need
- —on the optimal system for determining asylum applications
- —or how narrowly or liberally we should define family members.

But the question is not *if* migration will be a feature of European life in coming decades, only how we shall manage that challenge.

<sup>&</sup>lt;sup>9</sup> Research by Juan Díez Nicolás and María José Ramírez Lafita quoted in Cor-NELIUS, *op. cit*.

This is not to suggest that some new managerialism or technological fix can bring inherently anarchic migration flows within regulatory control —allowing us to take those we need or who have a right to come, and turn back the rest.

Rather, it is to suggest that we need to devise solutions as complex as the pattern of migration itself: to understand its multiple drivers and pull factors, the agencies that facilitate it and the policy levers that can channel it where it will do most good<sup>10</sup>.

### Management tools

Managing migration must begin with countries of origin. Where migration is involuntary —families forced to flee by the violence of state or non-state forces— forceful intervention by the national community may be necessary, an approach which can challenge the very sovereignty of nation states but holds them responsible for their treatment of their own citizens.

In most cases, more can be achieved through partnership with source countries, if we are willing to do a deal from which both sides gain —work visas for their nationals perhaps, development assistance, or preferential terms of trade.

Recognising that we need some migrants, that there are others who have a humanitarian right to come, but still more who would choose to come, how do we manage our entry controls?

First, we need to be realistic about the demand for labour. A potent mix of job vacancies on the one hand, and a ready supply of eager migrant workers across the border on the other, can only lead to migrants coming or overstaying illegally —with great profits for those who oil their passage.

Better to manage their arrival and conditions of stay by creating legal channels, where pay and conditions are supervised, and permitted transfer to alternative employment ensures legal workers do not slip into illegality with the exploitation, and undesirable social consequences, that can ensue.

<sup>&</sup>lt;sup>10</sup> Demetri Papademetriou, op. cit.

If we are to curb illegal migration, we must thus move beyond the limited paradigm of enforcement controls. Certainly, enforcement and removals have a role to play, observing international standards for the treatment of those concerned. But without legal channels the evidence shows that enforcement will simply divert irregular migrants into alternative routes and destinations.

This we cannot afford to do. Each year, hundreds of bodies of aspiring migrants are washed up on the beaches of southern Spain alone. And many of those who succeed —having lined the pockets of the *Mafias*, live on the margins of society.

Shunning mainstream services to avoid detection and vulnerable to exploitation by unscrupulous employers —they are one significant barrier to the goal we seek: the successful integration of migrants into a socially cohesive society.

#### Integration

What do we mean by integration? Britain's Afro-Caribbean community are *socially* well integrated into mainstream society. English is their first language, Christianity their principal religion, rates of intermarriage with white people are high. Young black people are acknowledged role models in fashion and music.

But look at the statistics on unemployment or income and it is clear that, economically, this is a community that is significantly disadvantaged, facing a major barrier to equality of life chances with the majority population<sup>11</sup>.

Or take our Indian community —whose children now achieve *better* qualifications at school, on average, than white children and outperform other ethnic minorities in the labour market— but who, as the police recruits exposed by the BBC demonstrated —can still face a huge barrier of prejudice and discrimination.

Yet across Europe, there are many who still see integration, narrowly, as only a question of integration into the labour market; or, alternatively, as only a question of cultural adaptation.

<sup>11</sup> Ethnic Minorities in the Labour Market Prime Minister's Strategy Unit, 2003.

There are also some who see it as a one-way journey of adaptation by migrants —that integration will be achieved when they learn our language, improve their work skills and learn our customs; not seeing that the host society also has to open doors for migrants to travel through.

I suggest that integration, if it is to be successful, must be seen as multi-dimensional —economic, social, cultural and, in the long term, political:

- —That we need to see it as a two way process necessitating adaptation by migrants, yes, but by government, employers, service providers and the public in host societies too.
- —That our focus should not only be on those who have permission to stay in the long term, but also on those whose residence may be temporary but whose need to adapt —to be self sufficient and to avoid friction with local populations— may be greater.
- —And that our integration strategy may need to embrace not only the foreign born but the second generation who, the evidence shows, may face educational, social and employment barriers to the enjoyment of equal citizenship with their neighbours.

# A successful integration strategy

How then do we ensure that migration leads to socially cohesive societies, not conflict? How do we ensure that migrants make the necessary adaptations to achieve economic and social integration, and that we in turn lower the barriers of prejudice and discrimination that bar their way?

First, I suggest, our governments must explain to the public why migration, in some form and at some level, is here to stay; that it brings benefits but that there are trade-offs to be managed. Ministers should then be realistic in their promises on what entry controls can achieve.

The public need, perhaps, to be reminded of the values underpinning the protection provided to refugees and the international rules allowing families to be reunited. And we need to be shown the evidence on the contribution migrants make to our economies.

Most of all, we need to feel confident that the system is under control. Governments are tempted to use well-publicised crackdowns on illegal immigrants to demonstrate that. Television images of officials hoarding foreigners into the back of a police van may indeed confirm that action is being taken. But it is debatable whether the rhetoric and images do not do more to reinforce a sense of threat, than to reassure.

Britain's Home Secretary surprised his critics two weeks ago when he acknowledged the impact which government has on public opinion, and our collective responsibility to lead a calm debate:

«I think», he said «that I, you, the media in Britain, all of us have an obligation to be very careful how we phrase things —but not to be afraid to say things. Not to be afraid of facing down those who want to push issues under the carpet. But also to be mindful that the way we do so will determine the nature of the debate and whether people are listening.

To call people illegal when they are not illegal, to call them asylum seekers when they are legal migrants, to describe people incorrectly, not just misleads but actually undermines that sensible, educative debate».

A timely warning, from a senior government Minister, that the language in which the migration debate is conducted can itself have an influence on the outcome.

In that context, the recent decision by the Spanish Radio and TV board to adopt a Code of Practice on reporting events, stating that the ethnicity, colour or religion of a suspect will not be mentioned unless strictly relevant and that discriminatory remarks about migrants will be avoided, must be welcome<sup>12</sup>.

# Integration into the labour market

If the first element of a successful integration strategy is government leadership of public debate, the second, I suggest, concerns integration into the labour market. All the evidence shows that employment is the key determinant of life chances, and that speaking the language of the host country significantly increases migrants' chances of success.

So it is in our interests as well as theirs that we ensure access to language classes which meet their needs, to skills training if they are staying in the longer term, and recognise qualifications obtained abroad.

<sup>&</sup>lt;sup>12</sup> Migration News Sheet, November 2003, p. 23.

Nevertheless, however well prepared the migrant is; however fluent, qualified and skilled, he or she will not succeed in the labour market if employers harbour irrational prejudices about people from particular countries, ethnic or religious backgrounds and, whether intentionally or not, block their access to jobs or promotion.

For that reason, member states of the European Union agreed in 2000 to abide by Directives outlawing discrimination on grounds of race or religion, and that their governments would —by 2003— establish specialised bodies to promote non-discriminatory employment practices and ensure victims of discrimination get access to justice.

The United Kingdom has long experience of discrimination legislation and I am the Deputy Chair of the government body that was established in the 1970s to ensure its success. From that experience, I can say that the law has prompted many employers to work hard to eliminate discriminatory practices, and that many men and women unfairly discriminated against have duly received compensation or reinstatement in their job.

Yet recent government research has confirmed that discrimination is still one significant cause of the disadvantage many of our ethnic minorities experience<sup>13</sup>. And we know that discrimination is often not overt but an unintentional outcome of the way in which the firm recruits, trains and promotes its staff. In each case, people from ethnic minorities lose out.

The Council of Europe has recently recommended a new approach to overcome that challenge<sup>14</sup>. It advises its 45 member states that «the law should place public authorities under a duty to *promote* equality» as well as to prevent discrimination.

Moreover, public authorities should be under a duty to ensure that firms to which they award contracts or grants should themselves respect and promote a policy of non discrimination, and lose the contract if they fail to do so.

In Britain, the law has now embraced this approach<sup>15</sup>. Each public authority from the police and health care providers through to schools

<sup>13</sup> Ethic Minorities in the Labour Market, Prime Minister's Strategy Unit, 2003.

<sup>&</sup>lt;sup>14</sup> ECRI General Policy Recommendation No 7 on *National Legislation to Combat Racism and Racial Discrimination*, adopted on 13 December 2002. Council of Europe.

<sup>&</sup>lt;sup>15</sup> Race Relations (Amendment) Act 2000.

and museums, now has a duty to promote race equality —in its employment and the services it provides— and to promote good race relations. We at the Commission for Racial Equality provide guidance on the steps they can take to do so, and can take enforcement action if the law is ignored.

This new approach is only now taking hold. It is early days and I cannot tell you just how effectively it will change outcomes on the ground. But I can say that this statutory duty to promote equality is changing the nature of the debate within public bodies about their responsibilities.

Whether their role is to improve public health, ensure access to adequate housing, raise the educational attainment of pupils at school, or encourage witnesses to report crimes, they are now having to consider the service they provide to ethnic minorities —including migrants— as central to those objectives.

#### Work visas

But what of those migrant workers who are *not* entitled to equal treatment within the labour market; whose visa restricts them to one employer or type of work? The intention for those migrants is precisely to ensure that they do not compete on an equal footing with other residents, that they only do a job for which no EU citizen is available.

It must be right that governments give priority to existing residents, providing work visas for labour migrants only where there are vacancies that cannot be filled. But the administration of these labour migration systems can be counterproductive:

- —providing permits for such a short period that the worker simply stays on to work illegally
- —taking months to administer a transfer from one employment to another (a bureaucratic irritation the employer wants to avoid)
- —or, as Wayne Cornelius writes of the Spanish system, a catch-22 of separate work and residence permits, operating on different time scales, which can leave migrants moving in and out of legal status.

These systems can trap a migrant worker in low skilled, irregular work for years, allowing no opportunity to integrate and progress.

A recent survey in Spain found an agricultural worker who had been on the same farm for 14 years but was still working on a seasonal permit<sup>16</sup>.

If we want migrant workers to achieve a level of integration into society, we must —as Madrid University's Joaquin Arango argues, address the barriers presented by the temporary work permit system itself<sup>17</sup>.

# Social integration

Will it be enough to ensure integration into the labour market? No. Strong communities share, at some level, common values, a sense of belonging, and equal life chances. How do we achieve this?

The European Commission argues that integration should be understood as a two way process based on mutual rights and corresponding obligations. There is a responsibility on the host society to ensure that immigrants have a right to participate not only in the labour market but in social, cultural and civic life.

Immigrants, in turn, need to respect the fundamental norms and values of the host society, without having to relinquish their identity<sup>18</sup>.

If we take rights to participate, first, what might this mean? Access to voting rights may come only with acquisition of citizenship (although there are states which accord the right to vote in local elections after a period of residence). Certainly, providing access to citizenship can be both a goal of integration and a lever to facilitate that process —an opportunity to forge that sense of commitment and belonging that binds us together.

But many will not remain long enough to be eligible for citizenship, or not want to apply. The Commission suggests that we adopt a concept of Civic Citizenship, what Tomas Hamaar called «Denizenship»<sup>19</sup>, guaranteeing core rights and obligations to be acquired over a period of years.

<sup>&</sup>lt;sup>16</sup> Keith Hoggart and Cristobal Mendoza, «African Immigrant Workers in Spanish Agriculture», *European Society for Rural Sociology*, vol. 39, no. 4, 1999.

<sup>&</sup>lt;sup>17</sup> Joaquín Arango, op. cit.

<sup>&</sup>lt;sup>18</sup> Communication from the Commission on Immigration, Integration and Employment. Brussels 3.6.2003 COM (2003) 336 Final. Para 3.1.

<sup>&</sup>lt;sup>19</sup> Tomas Hammar (1985) (ed.), *European Immigration Policy, A comparative study*, Cambridge University Press.

The EU's Charter of Fundamental Rights, and the European Convention on Human Rights, provide the core rights of Civic Citizenship and we shall foster integration more effectively if we also have mechanisms that ensure access to adequate housing and health care.

Even so, migrants could lead parallel lives to local residents unless we encourage participation in the life of the community, whether it be in the organisation of the village fete and local parent-teacher association or in the multiple opportunities for engagement in an urban setting. Ultimately it is this social interaction which will reassure host communities that migrants do not pose a threat, and confirm to migrants that they belong.

#### **Future prospects**

Can we be optimistic of success? Is it naïve to imagine that people from cultures or religions different from our own can live amongst us as fellow citizens?

We sometimes make the error of imaging that, in the absence of migrants, our own cultures —at a regional or national level— are homogenous —that within that geographical boundary we share the same values and traditions— and that our culture is static, generation after generation.

On reflection we see how mistaken that is: that our values and patterns of behaviour, even within one region, differ according to class, religion, gender, age and experience; a diversity to which migrants add a further dimension. We were a rich mix before they arrived.

Could the new migrants, nevertheless, be one dimension too many?

Certainly, we should not take cultural integration for granted any more than we should assume that integration into the labour market, or civic participation, will happen without some policy levers to drive it. We need some common modes of understanding, some common values, if we are to live comfortably together.

At a practical level, some states are reconsidering the provision they make when migrants first arrive to ensure that they have the information they need to live successfully in their new home. Not just factual information such as how to find a doctor or open a bank account —but information on social norms and acceptable behavior.

Canada has long provided an induction booklet for new migrants which does just that. It reminds newcomers that men and women have

equality of opportunity in Canada, for instance; and, at the other end of the scale, that it is the custom to clean up after your dog in the park!<sup>20</sup>

There is plenty of scope for discussing what the advice to new migrants might be, but the principle must be right. If you do not know the norms, it is so easy to offend. One complaint I heard from a local authority during the course of research in the UK, for instance, was of a migrant family putting their rubbish out in the street each day, not realising that in Britain there is a collection once a week. A small issue, but an irritation to neighbours that could so easily have been avoided.

There are far more significant differences of view, of course, which are the real concern. How do we address fundamental divides on acceptable behavior, such as forced marriages or genital mutilation? Do we, at one end of the scale, have to accept such practices because they are claimed to be part of religious freedom; or at the other end of the scale do we ban all public demonstration of religious identity, such as wearing a headscarf, or turban at school?

### **Human rights as core values**

International human rights standards are very helpful here in providing an answer. Unlike a national code of ethics, or that put forward by one religion, Conventions like the European Convention on Human Rights, or the UN Convention on the Rights of the Child, have a legitimacy drawn from the exceptional level of global engagement in their negotiation and ratification.

International human rights standards provide, first, a bottom line on acceptable behavior, below which no one can claim their actions are justified by any religious code or cultural tradition. Forced marriages, or genital mutilation simply do not pass that test.

Beyond that bottom line, these international conventions do not provide absolute standards but a framework for balancing the rights of one person, say to freedom of speech, against the rights of another, say to protection from incitement to racial hatred. The right of one person can be curtailed if necessary and proportional, in a democratic society, to protect the rights of another.

<sup>&</sup>lt;sup>20</sup> Welcome to Canada, What you should know (1999) Citizenship and Immigration Canada.

When faced with a cultural practice of which we disapprove, human rights standards thus provide us with a series of questions to ask ourselves:

- —does the practice involve the exercise of a fundamental human right —to freedom of religion, perhaps, or freedom of speech?
- —does the exercise of that right nevertheless infringe the rights of another person so significantly that it is necessary and proportional for the law to say —you cannot do it?

Human rights standards provide no easy answers in these dilemmas. But they do provide a framework, a set of questions to ask, which divert us from a knee-jerk response towards a considered solution.

#### Conclusion

In conclusion, ladies and gentlemen, migration is here to stay. At some level, and in differing forms, migration will be a permanent part of our future. Governments need to prepare their publics for that reality, to remind us of the benefits it brings and reassure us that they have the measures in place to manage it effectively.

The global experience of migration is long standing but we have not yet learned to manage it well. The speed and depth of change can challenge our sense of identity and the tensions to which it gives rise catapult governments into reaction when they most need to consider and consult on the real policy choices.

Much can be done to manage migration:

- —from partnerships with countries of origin,
- —through labour migration systems that take into account the needs of society and pressures on migrants as well as the interests of employers,
- —to an integration strategy that removes the barriers to economic, social, cultural and civic participation.

Many cannot yet see migration in that way. No one has explained the full picture. Hence we labour under misconceptions, and fears heightened by exceptional events.

Creating the political middle ground in which it is possible to pursue a calm, reasoned debate on the real choices we face in managing migration effectively is, I suggest, the first challenge for political leaders at the European, national and local level.