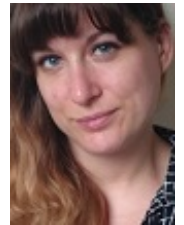


All bark and no bite: Why EU temporary migration programmes have failed to live up to their promise

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Temporary migration programmes, which grant individuals the right to reside and work in a country for a stipulated period, often related to an employment contract, have been viewed as a mechanism for governments to manage migration and address labour shortages. Based on case studies of France, Italy, Spain and the UK, [Erica Consterdine](#) writes that while such programmes were regularly promoted in EU countries in the early to mid-2000s, they have largely failed to live up to their promise as a central element of EU migration policies.



Less than 10 years ago, policymakers and civil society actors alike were heralding temporary migration programmes (TMPs) as the future panacea for managed migration in Europe. The European Commission [claimed](#) that Europe was experiencing substantial labour shortages, across 'the full range of qualifications – from unskilled workers to academic professionals'. In turn, the Global Commission on Immigration [recommended](#) that states should consider introducing carefully designed TMPs.

Policymakers and scholars [talked](#) of the resurgence of the guestworker programmes. But what became of all the hype around TMPs? Did Member States establish more temporary programmes? Preliminary findings from a body of research we have recently conducted – the [Temporary versus Permanent migration](#) (Temper) project – suggest that, if anything, we've seen a decline in TMPs in western Europe.



Hungarian 'Gastarbeiter' in Germany ([Bundesarchiv](#))

All bark and no bite: temporary migration since 2005

States had previously been wary of administering any type of temporary programme, fearing a repeat of the unintended settlement of the post-war guestworker programmes. Hence the [saying](#) 'there is nothing more permanent than temporary migration' came to permeate policymaking.

TMPs have also been criticised and not without merit. The control mechanism of tying workers to employers, a common feature in TMPs, has led to [exploitation](#) of migrant workers. Yet civil society actors [argued](#) that a well-managed programme, including stricter enforcement of workers' rights and [ensuring](#) work permits are portable within sectors, could alleviate labour market shortages whilst generating developmental gains. Did this come to fruition?

Countries of immigration: France and the UK

France and the United Kingdom share a number of components of immigration governance: both have long been net importers of foreign labour, both operate deregulated markets and at the same time, both states must placate public concerns over immigration, making TMPs an easy solution to this dilemma.

Whilst France has made efforts to promote circularity, including mobility agreements, with respect to TMPs France is left wanting. A new renewable [seasonal worker](#) residence permit was introduced and new provisions were made available on residence permits. But although such permits are 'temporary' in nature, their purpose is not to manage temporary migration, as all residence permits are issued for one year, but almost all are renewable. The evidence [highlights](#) that in practice third-country nationals tend to transform their short-term permits into longer-term or permanent ones.

The UK was ahead of the game on TMPs, expanding their longstanding agricultural workers scheme and establishing a new temporary route for the hospitality sector – the Sector Based Scheme – in the mid-2000s. But part of the then government's expansion of immigration included *not* placing transitional controls in 2004 on the new Central and Eastern European (CEE) accession states, leading to an unexpected wave of intra EU mobility.

As a result, the government conceded that these programmes were no longer necessary, and [closed](#) both TMPs to coincide with the cessations of controls on Bulgaria and Romania in 2014. A handful of schemes remain in the temporary Tier 5 category, but these programmes are for young, high skilled individuals. In contrast to the global trend of utilising TMPs, the British government has abandoned them entirely.

Countries of emigration: Spain and Italy

In Spain and Italy a whole host of low skilled sectors are almost entirely dependent on foreign labour to fill shortages. One might expect that the southern states would be the biggest utilisers of TMPs. But this has scarcely been the case. Rather, both countries have maintained, developed and cultivated a net of decentralised local hiring initiatives grounded in a complex institutional framework.

In Spain a [quota policy](#) underpinned by bilateral agreements has been developed to recruit workers temporarily in the agricultural sector. Yet the high demand from certain sectors in need of intensive workforce for seasonal activities has led to a saturation of these instruments beyond their effectiveness. As has been widely documented, the quota became a mechanism through which workers who were in Spain irregularly could access the labour market. The Spanish migration model was characterised by a 'back-door policy', where the state operates [tolerated irregular immigration](#) based on very narrow, formal access mechanisms.

Like its southern counterpart, Italy has no TMPs as such, but has instead developed a seasonal permit for temporary work. Yet in reality residing irregular migrants use this route to regularise their stay. This is [demonstrated](#) by the mismatch between the numbers of seasonal permits issued in contrast to the number of residence permits issued. Thus thousands of workers enter the country, but do not get legalised.

The [overly bureaucratic process](#) of obtaining a seasonal permit – where permits are issued up to nine months after the employers' request – has only exacerbated the pattern of recruiting irregular workers. The seasonal permit and the attached quotas do not fill shortages. Rather the system acts as a permanent mechanism for regularising migrants.

Conclusion: where are the TMPs?

It seems clear that the so-called resurgence of TMPs has yet to come to fruition in our four case studies. The most obvious explanation is that the 2008 financial crisis has reduced demand for low skilled labour. In the EU 28 there is currently [no evidence](#) of quantitative labour shortages. However, qualitative shortages – particularly those caused by a mismatch between the preferences of jobseekers and the characteristics of open vacancies – are apparent, as are geographical mismatches in Italy and Spain. And, as the crisis has decreased the tightness of labour markets throughout Europe, quantitative shortages may grow if the economic recovery picks up.

As unemployment rises, some argue, an economy's need for migrant workers declines, so perhaps native-born residents are taking the jobs previously occupied by temporary migrants. But whilst shortages are [relative](#) in that

employers could offer more favourable working conditions, employer surveys [show](#) that the main reason organisations employ migrant labour is a ‘difficulty in attracting native-born candidates to fill unskilled jobs’.

A reasonable explanation is that the pool of available labour from the newly acceded CEE states has filled shortages in low skilled sectors. The evidence does [suggest](#) that CEE citizens fill a large proportion of low skilled jobs in our destination states. In the UK for example, a third of all [A8 migrants](#) are [employed](#) in elementary occupations.

But two factors make this an improbable and undesirable long-term solution. Firstly, the emigration of CEE citizens has, and will, cause a brain drain in the sending states. For example, the emigration of [healthcare professionals](#) has caused serious shortages in public hospitals in various eastern European countries. Secondly, as CEE citizens become more integrated, employers predict that these workers will move up the ladder to more stable jobs, as has speculatively been the case with [Poles in the UK](#). This is especially acute because many CEE workers are skilled professionals and [often employed](#) in jobs for which they are over-qualified.

Ultimately, with public concerns over immigration rising across Europe, it is politically untenable for governments to be seen to encourage any type of immigration. Yet without effective migration management to meet demands in the future, it is plausible that there will be a swell in the underground labour force. As a result, we may see governments ‘looking the other way’ in the next decade.

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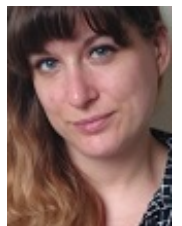
Note: This article gives the views of the author, and not the position of EUROPP – European Politics and Policy, nor of the London School of Economics.

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