

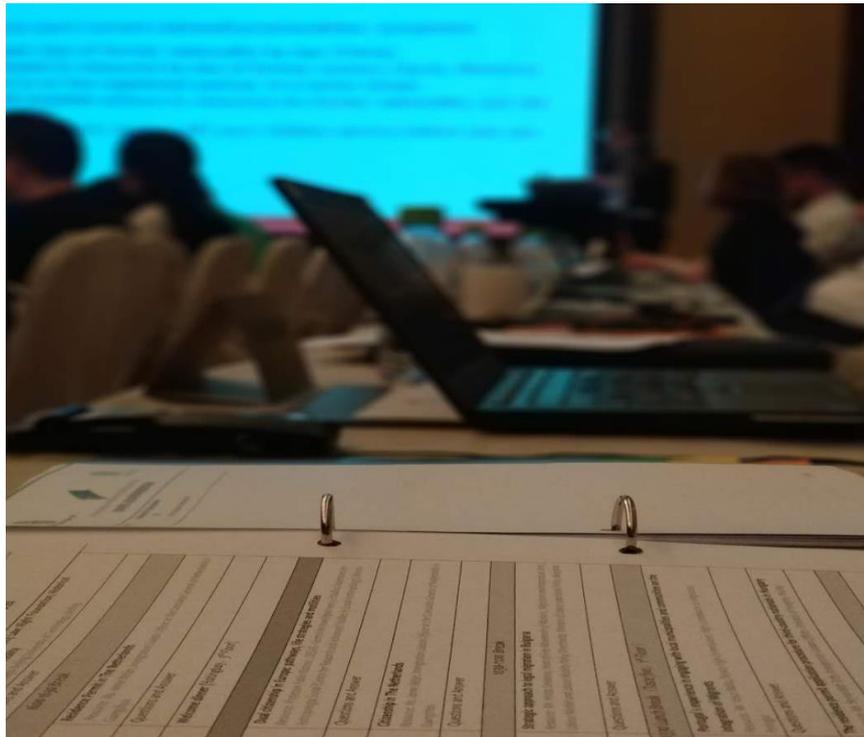


Policy Seminar on Facilitating Mobility & Integration of Migrants

24-25 April 2018

Hilton hotel, Sanya

SUMMARY REPORT



Background

Under the framework of the EU-China Migration and Mobility Support Programme (MMSP), IOM organized a two-day policy seminar focusing on citizenship, residence permit systems and migration institutional arrangements in Europe and China. The seminar brought together 33 officials¹ from central and provincial levels of China's National² Immigration Administration with experts from European Union (EU) Member States and China to showcase various systems and identify best practices in facilitating mobility and integration of migrants.

China has become an important transit, host and destination country for migrants. The Chinese government continues to reform its migration framework and to seek innovative solutions aimed at facilitating the high number of travelers and migrants crossing its borders. Most recently, China announced the establishment of the *National Immigration Administration* whose scope of work will span from immigration policies, border control, nationality issues, entry and exit of Chinese and foreign nationals, refugees and other immigration-related matters. The establishment of the NIA represents a new chapter for immigration management as the agency (which will be

¹ Including 20 participants from provincial level

² Previously known as the National Immigration Administration

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under the Ministry of Public Security) will handle all issues related to emigration and immigration compared to the existing arrangements where various agencies have respective roles. The seminar's timing highlighted both the creation of the National Immigration Administration (2 April) and the recent announcement (18 April) that China has offered 30-day visa-free access for tourists from 59 countries to Hainan Island starting from 1st May 2018. This move intends to boost the tropical province's popularity among foreign tourists, in line with the reform and opening up policy. Continued cooperation between IOM and Chinese authorities, namely the new NIA, will be crucial in reinforcing understanding of best practice of other countries in the EU as well as adopting supportive measures in migration management.

Experts

To facilitate discussions and exchanges, IOM invited 2 Chinese experts (Mr SHEN Yibo from NIA and Prof. LIU Guofu) and 6 international experts from Bulgaria (Hristo Simeonov), Estonia (Liis Valk), Hungary (Bernardett Toth), the Netherlands (Janne Meijer), Portugal (Vasco Malta) and Spain/Mexico (Professor Pablo Mateos) who shared best practices from their respective countries.

Key points of note

The key takeaways from the seminar are outlined below:

1. Restructuring migration institutional structures

Streamlining and integrating security agencies under one single institution saw positive results in Estonia, enhancing cooperation and data sharing and improving joint operations. Since the formulation of the new single agency, public trust in the police service has increased, and is now the highest of all public institutions in Estonia. In terms of policy development for integration and citizens, other services of the Ministry of Interior and Ministry of Foreign Affairs remain responsible.

In China, the establishment of *National Immigration Administration* offers an opportunity to make the country more proactive in welcoming migrants. The policy and structural changes include linking the two bureaus: border control and Bureau of Exit and Entry both within central agency under MPS reporting to State Council. The role of NIA is to implement policy measures on migration and provide better services for migrants by integrating the roles within the 3 agencies currently tasked and reducing duplication of efforts. It is hoped that in future (legislation not complete), a comprehensive visa system will be used.

A proactive migration policy can facilitate integration and improved migration management. The NIA will tackle all aspects: who is allowed in, who stays, and who should be asked to leave: all in an effective manner. Integration can be more challenging in small counties than in large cities, given population dynamics and cultural considerations. China, for example, is not as 'internationally dynamic' on a national level in comparison to other states.

2. Internationalization of Mobility and Institutional Reform of Migration Management

Migration at the global level is constantly increasing, with every seventh resident in high income countries a foreigner. There are many positive outcomes of increased international and transnational migration, for example; remittances improving living standards and investment in the receiving country; local economies are boosted by increased productivity; and host countries benefit from greater diversity. These positive impacts require good migration management to avoid negative consequences. Some of the challenges associated with migration trends



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are linked to security and irregular migration flows, challenges shared by most states around the world.

China is the fourth highest source country of global migrants, whose remittances make China one of the top recipient countries of recorded remittances. China's thirteen land borders mean it has enhanced numbers of migrants from its neighbouring countries; nine of whom have created agreements for facilitating mobility with China. The 2013 exit and entry regulation facilitated mobility of migrants and promoted enhanced governance around migration. Despite irregular migration (undocumented and illicit unemployment) being evident in some parts of China, foreign nationals in varied cities such as Beijing, Shanghai, Guangzhou and Yiwu show the positive contribution of migrants residing in China and the importance of managing migration effectively. China is an emerging host country for migrants and as such its communities and authorities responsible for migration need to be sensitized on inclusive integration best practices. This requires long-term efforts on social and legislation/measures.

3. Designing migration and integration policies: the Portuguese experience

The High Commission for Migration (*Alto Comissariado para as Migrações*, ACM) is an independent body with administrative and financial autonomy in Portugal. Its roles include the integration of immigrants and ethnic groups as well as management of inter-cultural diversity, ethnic minorities and religions. It is guided by a strategic plan for migration and has a one-stop-shop model for migrant services which includes integration support centres, phone hotlines, a translation service in 60 languages, Portuguese language courses, migrant entrepreneurship programs, amongst other features.

Including local level services is core to the Portuguese integration model. These services include local mediators, mentors for migrants (from private sector), choices programs (promoting social inclusion of children and youngsters from vulnerable socio-economical contexts), next-door family initiatives (sharing meals between locals and new migrants), as well as free access to health and education.

Other important integration techniques include awareness raising. Various channels are used ranging from the migration observatory, radio and TV programs, events, networks and publications.

Negative stereotypes and connotations about migrants must be eradicated to ensure successful migration management. Effective integration allows for the voices of migrants to be heard and encourages healthy dialogue. Language barriers can be a major obstacle for this integration, and so measures should be taken which provide free access to language basics for all migrants. In Portugal, regular migrants have free access whilst irregular migrants pay a small fee for language learning.

4. Dual Nationalities in Chinese Nationality Law

China does not recognise dual nationality. For foreigners to attain Chinese nationality, they must renounce their current nationalities. For Chinese citizens who attain new citizenship, national ID and local registration (*hukou*) is cancelled. The single-nationality system has limitations, including difficulties in handling foreigners with multiple citizenships; inadequate protection for Chinese citizens who suffer persecution; as well as issues reinstating Chinese nationality.

Clarity is required regarding China not consenting to dual nationality. Legally, the term could have various interpretations but from an academic perspective, it means that China does not acknowledge persons with dual nationality. One must renounce any other nationality to gain Chinese nationality.



5. Dual Citizenship in Europe

In Europe, the main motivation for acquiring a passport is mobility showing the varied visa requirements for Schengen and European countries. There are three primary pathways to gaining citizenship in EU Member States. The first is naturalisation, whereby the individual migrates to Europe, waits to apply for citizenship and often opts for onward mobility within Europe (e.g.: from Brazil to Italy to UK).

The second pathway is the ancestry route; 17 EU countries allow citizenship by ancestry and access does not require travel to Europe. Most use it for mobility, insurance against unemployment, family transmission, etc. They may use their EU MS passport for onward mobility within Europe.

The third pathway is citizenship by investment, with an ultimate goal of minimising the risk of investment while increasing mobility for the individual and the family.

Mexico is an example of a potential parallel for China, and in this case, dual citizenship would provide for enhanced engagement with its diaspora. The practice of using permanent residence in lieu of citizenship is challenging, as it restricts future mobility and cannot be passed onto children (family transmission).

6. Strategic approach to legal migration: Bulgaria case study

In Bulgaria, the migration legal framework ranges from constitutional provisions to laws on citizenship. Various ministries and agencies are responsible for migration management. In terms of guidance on migration policy, the development of the first national migration strategy (2008-2015) for Bulgaria set the tone for legal/labour migration to guide immigration and emigration. It covered legislative framework, information mechanism and foreign skill attraction. The subsequent strategies (2nd and 3rd) were based on lessons learnt. The 3rd and current strategy hinges on migration, asylum and integration with the goal to give a balance to all aspects of migration including diaspora, relations abroad, citizenship, aspects of integration, security considerations.

7. Engaging with local municipalities and communities on the integration of migrants

Steering local content for integration and scaling it up to the national level has been used as a migration management strategy in Portugal. The strategic plans on migration have a specific focus on the engagement with local municipalities and communities regarding the integration of migrants.

The plans are layered as joint and single actions spanning annual and multiannual timeframes. Essential to the plan is the role of Council of Migration, a consultative body that supports and participates in the definition of general line of ACM work. The Council consists of governmental institutions, immigrant communities, CSOs, employers, trade unions and local municipalities' associations.

Agreeing upon the municipal plans for the integration of migrants is the task of the local municipalities. The basis of the plans is fostering integration efforts respectful of the realities on the ground, all in a participatory local diagnosis (diverse stakeholders including religious leaders and mayors) and supported by a local representative platform. They are evaluated independently, and the assessment is validated and approved.

8. Shared challenges and opportunities between the EU and China

Chinese and EU actors face more similarities than differences in needs and challenges in relation to immigration management despite the varied political, legal and cultural scenarios: both need to attract labour and face challenges



International Organization for Migration (IOM)



International Labour Organization

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in permanent residence systems. The need for collaboration remains evident especially with good examples shared that allow consensus and cooperation.

Collaboration of all actors at provincial and national levels, as well as with international partners and thinktanks, is vital to ensure coherence in strategy. This would enhance tailor-made solutions at the grassroots level, promote the spirit of innovation and allow for migration policies that direct attention to individual needs of migrants.

Additional points of note:

Due to technical challenges, the evaluation exercise was not undertaken.

Attachments:

1. Final agenda
2. List of participants