

Migrations in Europe in the Nineties¹

MIRJANA MOROKVAŠIĆ-MÜLLER

Directrice de recherche au CNRS

Université Paris X

Maison Max Weber- LASP

92001- Nanterre Cedex

France

E-mail: marok@u-paris10.fr

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This paper provides an overview of main trends in new European migration landscape. It looks at the ways they are shaped by the global trends world-wide. It provides a gender perspective of this new migration pattern and sheds light on some of migrants' coping strategies of resistance to ever more restrictive policies. Finally it reflects on some of the issues relevant for the South vs. Central/Eastern Europe comparison.

The redrawing of the map of Europe in the aftermath of the events of 1989 and the collapse of the communist regimes involved an unprecedented mobility of persons and heralded a new phase in the history of European migrations. The clear distinction between sending and receiving countries has been blurred with former sending countries emerging simultaneously as receiving, as sending and as transit areas. Furthermore, the former predominantly labour migration pattern has become highly diversified: circulatory or shuttle/commuter migrants, refugees, "repatriates", undocumented and trafficked migrants are some of the numerically most important categories along with the traditional labour and family migration.

The new forms of migration are no longer male dominated: the post communist transition has put on the move a great number of women who are looking for an escape either from their new market conditions or from the newly dominant discourse of nationalist projects in their home countries or are simply attracted by the challenges of the newly acquired freedom of movement.

Key words: MIGRATION, GENDER, POST-COMMUNIST, EUROPE

Migration and the contradictions of globalisation

Migration processes in Europe have to be seen in the context of growing world interconnectedness, economic integration and globalisation. The growing interconnectedness of the world also leads to more poverty, and increases the gap between rich and poor countries. In poor countries, the decline of traditional economic sectors, subsequent unemployment, and foreign debt not only generate migration, but also force the governments of these countries to rely on migration of their citizens and their remittances.

In our globalized world the population of international migrants has lately been increasing at a faster rate than the rate of global population increase which was not the case some thirty years ago. Still only 2.6 % of the world's population live outside their original country of origin: some 150, 000 million people world-wide. This means that the propensity to move internationally, particularly in the absence of any violent pressure such as wars, is limited to a small proportion of humans. Most people prefer not to migrate if they feel that they can satisfy their needs at home. Those who move also have a high propensity to return if they have somewhere to return to, or to circulate.

The pressure to emigrate is met by protective barriers in the target states. Globalized labour does not move as freely as global capital or goods – rather it remains firmly tied to the

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territorial world of the state system, with border controls as tight as in the past and often tighter. Globalisation processes have precisely revitalised rather than diminished one crucial function of the nation state, namely that of controlling the movement of people across its borders (Nyberg-Soerensen, 1998).

The efficiency of border controls is rather mixed:

- The phenomenon of “workers without frontiers” (Stalker, 2000), trans-national migrants or “transmigrants” (Glick-Schiller, Basch and Szanton-Blanc, 1995; Faist, 2000; Pries, 1997; Smith and Guarnizo, 1998) is spreading worldwide in spite of (or along with) the growing state and interstate efforts to control the movements and borders and halt unwanted migrations. For migrants, at least those who are free to move, it is now much easier than before to live in two societies at the same time, maintaining two homes and commuting between them. This is the case in many parts of the world (China-Canada, Eastern-Western Europe, North Africa-Europe, Turkey-Europe etc.). The flow of migrants’ remittances often exceeds revenue from tourism or other trade, investment or foreign aid to the source country and maintaining the flow of these remittances is often an important consideration in migration policy making. Dual and multiple citizenships are among the visible outcomes of transnational movements and transnational belonging. Though slowly and reluctantly, this change in reality can also be followed by changes in legislation (as recently in Germany).

Geographic distances count less and less thanks to technological advance in transport and communication: with ever cheaper and faster travel the likelihood of long distance moves increases. Thus migration no longer means a separation from the families for long periods of time nor a break with a past. Instant communication through the internet and inexpensive telephone services permits migrants to remain in touch with families at home. The internet may also facilitate job searching and access to labour. All this may facilitate migration or increase opportunities for moving. On the other hand, instant communications also create job opportunities locally, which in the long run may be a deterrent to migration. After moving production offshore, many large Western companies have been turning to the South, and have also delocalised their customer services.

- But, the walls around ever richer and therefore more and more desirable economies also feed and encourage illegal trafficking in people.

Trafficking implies the transportation of people across borders in an illicit way (it seeks to circumvent cross-border traffic regulation). It often involves also a forced recruitment for work and services and a use of violent means to do so. The new trend is the scale of people smuggling: it is estimated that some four million people are being trafficked in the world every year. Another trend is its increased professionalisation and more and more involvement of transnational crime networks in controlling the undocumented migration. This has an impact on the profile of smuggled people and the conditions under which they are transported with minimum protection and safety, as well as on their lives upon arrival in a destination where they are forced into prostitution or kept in virtual slavery in order to repay “debts” or are sold to businesses who cover the fees in exchange for indentured labour.²

The new European migration landscape

The EU countries now have a foreign population of some 18 million. As part of the total population it varies from less than 2% in Finland or Italy to over 30% in Luxembourg, 8,9% in Germany, and 6.3% in France.

Germany is the primary target of East and Central European immigrants, migrants, refugees and undocumented residents. There are ten times more migrants from that part of Eu-

² One can refer to different IOM studies and publications on the issue: www.iom.int.

rope in Germany than in France, the second largest immigration receiving country in Europe.

The re-composition of the European migration landscape after 1989 concerns both the European South and its Central and Eastern part. Both are originally sending areas and have turned within a very short time into transit and receiving areas with little previous experience and legislation in dealing with immigrants. Both have a large proportion of women migrants especially in more recent movements (Oso, 1998; Campani, 1993). This is a new "gender-even" or sometimes even female dominated pattern, away from the male dominated guest-worker pattern characteristic of Europe in the 1970's.

In the Central and Eastern part of Europe the previously international migrations turned into internal ones (in case of Germany for instance), those that used to be domestic, internal movements became international (with the disintegration of the Soviet Union, Yugoslavia and Czechoslovakia into twenty two new states); the areas of origin, of destination and transit are interwoven; and border regions become centres of activity for some people and insurmountable obstacles for the mobility of others.

Transnational migrations from and to Eastern Europe are signs of the progressive incorporation of that region into the world system and more specifically into the enlarged European Union. They are likely to continue but will predominantly involve temporary moves of persons involved in short – term income generating activities. These persons do not move with their families and as far as social security, welfare provisions and education are concerned they draw on and depend on their home countries, not the host countries (Morawska, 2000). This is an important difference to the migrations of the guest-worker period.

One can trace these migrations back to four moments that have earmarked these profound changes: the fall of the Berlin Wall, the German Unification, the violent disintegration of Yugoslavia and the implosion of the Soviet Union. These events triggered or accelerated already existing movements of Germans from the GDR (German Democratic Republic) of so called "*Übersiedler*" and those from the communist world (mainly USSR, Poland and Romania) the so called "*Aussiedler*"; millions of *shopping and working tourists* engaged in trans-border movements not to go sightseeing but to engage in a variety of income generating activities (Wallace, 1997; Morokvašić, 1999; Cyrus, 1997; Irek, 1998). The nationalist projects and hostility towards minorities, including wars, displaced millions of former Yugoslavs, Russians and other groups towards the territories where their groups were in a majority.

In the 1970's and the 1980's, departures from the countries belonging to the Soviet block were relatively rare in proportion to the total population of almost 400 million in that area. On the average, Western Europe received only about 100,000 persons per year from that area (Chesnais, 1995). For Eastern Europeans at that time, emigration was equivalent to exile for good. Their departures accelerated, however, at the end of the 1980's. In the months preceding 9 November 1989, the citizens of the GDR "voted with their feet": they used their opportunity to travel to the neighbouring socialist countries, "occupied" Western Embassies. Czechoslovakia and Hungary let them pass to Austria.

Even before the fall of the Berlin Wall the Poles, benefiting from the lenient exit regulation of their country, used to come massively to Germany for seasonal work or as street sellers. In the south, Albanians loaded old ships and landed in Italy the "*Albanian boat people*" was the expression immediately coined. The images of overloaded trains and boats were exploited by the media fuelling panic about invasion of prosperous Europe by poor East Europeans. It was feared that millions of Russians would leave the country as soon as they received their passports. A number of opinion surveys on "potential migrants" from the East fuelled the panic, providing a scientific justification to irrational fears of invasion.

Fears in the West did not materialise. Although an unprecedented number of people was set on the move (the estimates are about 25 million annual border crossings just for the

countries of Central Europe), it did not result in a massive exodus. About two million persons from the East were admitted in 1989 and 1990 and as many in the next two years. The main beneficiary was Germany and to an extent Austria. Other Western European countries were not important targets. And although Germany still does not consider itself as an immigration country,³ No other European society has been as confronted with migration as Germany (Bade/Münz, 2000). In the years following the Second World War Germany received millions of displaced and deported Germans from the Eastern Reich Territories. In 1949 when the Federal Republic was founded, they were over 8 million or 16% of its population. Over 30 million people (foreigners, ethnic Germans, asylum seekers, families) came to Germany from 1950 to 1998 and in the same period some 22 million left the country. Besides, almost seven million came from the GDR to the West, whereas a million and a half migrated in opposite direction. (Bade and Münz, 2000).

The high percentage of women is an aspect which is characteristic of most post-communist movements. The most important legacy of state socialism was the institutionalised equality between women and men and a number of rights along with it, as well as paid employment as a norm for women: a majority of women of working age were economically active.

However the commitment to equality took place in societies which have preserved strong patriarchal norms and corresponding gender power relationships. Many women did not see the right to work as liberation. Rather, the right to work was degraded by state compulsion into an obligation to be endured (Einhorn, 1993). It subjected them to the rigors of the double burden. They were the first to lose their jobs in the process of post-communist economic restructuring (Heinen, 1995; Rai/Pilkington/Phizacklea, 1992; Funk/Mueller, 1993). However, they did not see in that loss something worth defending locally or possible to defend locally.

Thus they became a large supply of would-be migrants, readily available to respond to the demand in destination countries. Given the nature of job supply for migrant women (mainly in services), the irregular character of both their entry and of their subsequent income generating activity remains much more easily concealed than that of migrant men.

I will look at four main migration trends in the diversified pattern of migrations in Europe nowadays, highlighting some of their gender dimensions:

1. permanent migration (ethnic and family migration),
2. transnational work migration (official recruitments, circular/shuttle "tourist" migrations for the purpose of work and trade),
3. forced migration and refugee movements
4. undocumented migration and trafficking

These migration flows are often overlapping; the boundaries between formal and informal, between legal and illegal, between forced and voluntary being often blurred. For example: migrants can come as tourists which is perfectly legal within the time limits of their visa or visa-free travel, but if they engage in an income generating activity and if they overstay their visa period, they become illegal. In some countries the legalisation procedures have enabled some undocumented migrants to legalise their situation as in France, Italy, Greece, Portugal or Spain. In some countries and at some periods of labour market conjuncture, asylum seekers may have access to the labour market, otherwise they are not allowed to work. They are kept in the conditions which discourage them from staying in the country: detention

³ This might however change: there is a new migration law proposal made public in July this year, *Bericht der Unabhängigen Kommission Zuwanderung (Report of the Independent Commission on Migration) 2001.*

centres, restricted mobility, prohibition of bringing families, or family reunion left to the discretion of the authorities in the receiving countries.

Permanent migrations

The enlargement of the European Union by twelve new members, with a further four countries joining in a few years, raises the question of the free circulation of persons. What will happen when the citizens of new member states are free to circulate, take jobs and settle wherever they wish throughout the Union? Will the poorer East “flood” the rich West? Such a perspective may be questioned for several reasons. Similar questions were asked when former sending countries of the South, (Greece, Spain and Portugal) joined the Union. The experience of the EU countries so far shows that intra European mobility has not increased but has diminished: only five million of some 300 million EU citizens have chosen to live in an EU country other than their own. Besides, neither Poland, though a traditionally emigration country, nor the Czech Republic nor Hungary became sending areas. Their citizens show little propensity to emigrate permanently, or – as far as Czechs and Hungarians are concerned – even to undertake short term moves. On the contrary, these states of central Europe are now receiving more foreigners both from the south and from the East than they are sending to the West (Jazwinska/Okolski, 1996). Permanent emigration is also diminishing from other countries hoping to join the – Bulgaria and Rumania. But the propensity of their citizens to circulate remains high. They were the last to acquire the right to visa-free travel to the EU.

Most permanent migrations are *ethnic* in character and are politically treated as “repatriations” in the countries of destination: ethnic Germans or Jews from the former Soviet Union mostly heading for Germany (as well as Israel and the US for those of Jewish background), Russians from the former Soviet republics to Russia. As in permanent migrations usually, the sex ratio is even or women outnumber men slightly.

Up to 1987 a million and a half ethnic Germans (*Aussiedler*) came to Germany, mostly from Poland but also from Rumania and the Soviet Union. During the next ten years 2.5 million arrived, a majority from the former Soviet Union.

Aussiedler benefited from preferential treatment and a number of integration measures which other immigrants did not have (paid language classes, professional re-training, housing allowances, etc.). But this preferential treatment was not gender-neutral: men and women enter gender-segregated labour markets with often inadequate qualifications. The re-training measures for instance, with their focus on skilled production work, have benefited men more than women who entered the service sector. Thus, as Quack has demonstrated (1993), three years after their arrival to Germany, men usually succeeded in finding jobs, though below their skill level, whereas women remained unemployed. This in turn had an impact on families because of the uneven integration of family members into German society, women remaining more isolated.

Russia has received almost seven million persons from the former non Russian Soviet Republics in the period from 1989 to 1996. Politically, they are regarded both as repatriations and as forced migrations (Vishnevski, 1996; Kosmarskaya, 1999). The pattern of migration is family based and the move to Russia represents a loss of social status for both men and women. “Families” often however consist of single mothers and single, retired women who suffer discrimination in the process of resettlement (Kosmarskaya, 1999). Thus, those who still remain in the former republics (it is estimated that there are some thirty million Russians and Russian speakers left in the Newly Independent States) have been slowly adapting to their new position of minorities. Further migration is discouraged by the negative experience of the former migrants.

The enlargement of Europe, the moving of Shengen⁴ borders to the East and the introduction of visas by the new EU members and member-candidates for their Eastern neighbour citizens, may transform much of what is now shuttle migration from Ukraine, Byelorussia, and Moldova to Central Europe into a permanent one. It may also be diverted towards Russia.

Family reunification is another world-wide form of permanent migration. It is often a consequence of labour migration: those already in the country bring their families or marry in their country of origin and bring their fiancés and spouses. Depending on the country and on the definition of “family” it can be a cause of still further migration. The situation in Europe – it varies from group to group and from country to country – is however different from that in the US, where family members can and do sponsor other family members.

Family reunification is supported by international human rights law (Article 16.3 of the Universal Declaration of Human rights says that the family is “the natural unit of the society and entitled to protection by the society and the state”). In Europe, family is not only protected as the basic unit of society, it is also generally acknowledged that the family is changing: traditional family structures are breaking down, and new forms of marriages and partnerships are emerging. However, states usually have double standards when it comes to defining the families of their own citizens and those of migrants (Lutz, 1997). There are no obligations on behalf of EU members towards the third country nationals. When it comes to family reunification of a migrant, it is not granted automatically, but is left to the discretion of member states. The eligibility to bring family is restricted for many migrant groups (such as asylum seekers and short term workers). Besides, potential beneficiaries of family reunification are forced into the most traditional family arrangements and ever-stricter adherence to family structures in order to be permitted entry. For instance, forced to live apart for periods stretching from one to three years, they are supposed to prove the stability of their marriage! The probation period continues even after their entry. The independent resident status is not granted to the spouse if the marriage breaks before that probation period.

Although the requirements to entry for the purpose of family reunification are formally gender-neutral, the wives and husbands and male and female fiancés have not been treated equally because of the prevailing gendered stereotypes about supposedly culturally determined sex roles. The restrictions based on the “male breadwinner” stereotype have long prevented women from bringing their family or their husbands. Those restrictions have been lifted but there is still a prevailing suspicion that men use marriages of convenience to enter the country for the purpose of work. Women, on the contrary, find it much easier to enter on a spouse visa.

Transnational work migration

The decline of official recruitments:

Whereas in the guest-worker period of the 1960s and 1970s migratory movements in Europe took place within the framework of official recruitment policies and migrants were brought to fill in the vacancies in manufacturing industries, since the 1980s, migrations are

⁴ The intergovernmental Shengen agreement signed on 14 July 1985 between France, Germany and the three Benelux countries defines external borders of the “Shengen space” (space comprised by the states signatories of the agreement) while gradually suppressing the internal borders. Italy, Greece, Spain and Portugal joined in later. The member states harmonize the external control of the borders, implemented a uniform visa for the citizens of third countries and cooperate on other issues relative to migration, circulation, asylum. The enlargement of Europe eastwards implies the capacity of candidates to comply to the Shengen regime.

taking place in the context of closed borders, the increasing disintegration of protected labour markets and the casualisation of work. This creates a demand for foreign workers willing to accept "informal wages" on construction sites, household renovation, agriculture, cleaning, repair and other services. Though cases of official new recruitment do exist in Germany in particular, they are still on a more limited scale than those thirty years ago. Most involve contract labour, mostly from Central Europe, in particular from Poland, and some other ex-communist central-European countries. Such recruitment takes place as an exception to the non-recruitment policy adopted in 1974: 312,977 workers were recruited in 1999 and almost 350,000 in 2000. Such official recruitment concerns primarily men.

The educational and skill level of Central Eastern European migrants is high and their origin is predominantly urban: over half of those of Jewish background who left Russia for Israel or Germany had a university degree. Among the flows in Europe different survey data suggest a percentage of academics ranging from 13 to 23% (Morokvašić, 1996). From 1990 to 1993 top German scientific institutions received 1257 scientists from Russia, Poland, and Bulgaria. A majority of them (some 80%) were men, reflecting the gendered demand and an uneven gender distribution in science in Germany, rather than an imbalance in the sending countries (Rudolph 1994a), where women used to be comparatively more present in scientific jobs.

The scientists and highly skilled migrants who get a job close to the level of their qualification are a minority. Given the nature of the job supply one can speak of a de-skilling process, in particular in the case of women, only a minority in official programs, who often take jobs as domestic helpers or caretakers. But these jobs tend to be on a semi-regular basis and will be discussed in the last section.

A study of Czech transborder workers in Bavaria showed that a majority (two thirds) of the recruited were men. For both men and women, the work done was under their qualification level and less skilled than the work they had done in their countries. Women were worse off: whereas all men had skilled jobs, only one third of women did (Rudolph, 1994b).

The employment data for Germany, however, show that the profile of East Europeans in Germany has deteriorated in twenty years. It seems also that the drop in the labour market position reflects to an extent the lower educational level of migrants now as compared to those twenty years ago. There is still a high proportion of Eastern Europeans with University education (among men even proportionally more than among German men).

As early as twenty years ago, about two thirds of German women were in white-collar jobs (employees), in 1999 76% had these jobs. As for the East European women the trend is reversed: the proportion of those in white-collar jobs diminishes and those in blue-collar jobs increases. One can observe a similar tendency among men: German men, much less in "employee jobs" than German women in 1980, tend to leave skilled blue-collar jobs for white-collar jobs. The percentage of those in unskilled jobs remains the same. As for East European men, who used to be proportionally better represented in white collar jobs than their German counterparts (over 30%), their profile has altered, with over 50% in unskilled jobs and less than 20% in white collar jobs.

In the same period the educational profile of German men and women has improved, whereas that of East Europeans has deteriorated: the number of those without any schooling has increased for both German and East European men. Fewer East Europeans now have professional training or higher education compared with twenty years ago. But twenty years ago, the percentage of those with higher education was twenty times higher than among the Germans and today it is just slightly higher. As for the East European women, the majority used to have either professional schooling or higher education. Today, the proportion of both has decreased and those without education or with primary education has increased (Bade and Münz, 2000).

Recent developments in major receiving countries like France and Germany suggest more flexible attitude toward "useful immigrants", mainly high skilled, but also in the health sector, tourism, service occupations and agriculture, where the local labour force is unavailable or too expensive. The new German law adopted on 22 March 2003 authorises enterprises to recruit migrants when they cannot find them locally. Thus Germany becomes a country of selective immigration, France may follow the same steps. Both demographic and economic concerns are behind different propositions (some of them back in 1995) to be more flexible in opening doors to labour when and where needed. The new recruitments are in both countries imagined primarily on a temporary basis.

Circulation, work and "trade tourists":

The most important feature in the new migrations from and in the Eastern Europe is not that people become "free to leave" but rather "free to leave and to come back" (Morokvašić, 1996a, 1999). What used to be exodus (emigration for good) in the time of the cold war, could now become a *back and forth* movement, as it historically used to be. Departure no longer implies leaving forever and does not, as before, exclude return. These movements, variably called *commuter, shuttle, pendulum, colniki* remind us of historical figures of commuting migrants called *golondrinas* (Page Moch, 1996) and *colporteurs* (Fontane, 1993), or *Preußengänger* (Bade, 1982), increased tremendously in the post 1989 period.

They involve traders, seasonal labourers in agriculture and in construction, domestic helpers and workers in nursing and care who usually within their short visa-free period travel as tourists and engage in these different activities. Their circulation is facilitated not only by liberalised exit legislation, but also by the relaxed visa requirements for the citizens of the states who are candidates for joining the EU (visa requirements were first lifted for Poles as early as April 1991 and last for Rumanians on January 1st 2002).

Most mobile of all have been the Polish. Already in 1990 22 million Poles travelled abroad, which was 15 times more than a decade earlier (when travel "abroad" implied mainly to communist countries). This short term mobility, or, as some researchers called it "quasi migration" or "incomplete migration", is a result of economic restructuring which has left masses of people without jobs. It cuts across all social strata: the people on the move are well-educated, often with university degrees; they take off for a short time to harvest grapes, strawberries or asparagus in Germany in order to supplement wages, preserve their standard of living at home or improve it. Paradoxically therefore, they migrate in order to stay at home (Morokvašić, 1999). Their mobility is mainly an alternative to emigration. They respond to a persistent demand for cheap labour in a number of sectors, mostly in Germany where various measures to get the local unemployed to do the work remained unsuccessful.

Circulatory migration for the purpose of work and trading is a widespread form of migration throughout the Eastern part of the European continent and in Central Europe. Officially tourists, these post-communist migrants commute on a daily, weekly or monthly basis (Morokvašić, 1992; Wallace, 1997). The fact that migration can be envisaged as a short-term move only, whatever the final outcome, increases the propensity to move, but also the likelihood of return and circulation.

The scope of this migration is difficult to estimate, as migrants usually move several times a year. Empirical evidence suggests that women are more likely than men to engage in this kind of short distance movement because of the division of labour in the household and women's mothering role (Morokvašić, 1999). Migrant women create a transnational migratory space in which they try to optimise the opportunities and minimize the obstacles relative to their reproductive and productive work. Polish women have themselves set up a system of rotation so that they can go home at regular intervals, while their female substitute takes up

their cleaning or other jobs in Germany in the meantime. They are usually a group of 4-5 sharing both employers and housing. This reduces costs incurred by double residence. The regularity of their commuting seems to be determined by their care for the family remaining in Poland. In the case of the males whom I interviewed, working mainly in construction or in agriculture, commuting takes place at less regular intervals and is determined by the seasonal nature of their jobs and by the needs of the employer.

Women engaged in "self managed rotation" also avoid being captured in an institutionalised form of dependency: not only they are not dependent on one employer, but their employers become dependent on their "self-managed" rotation system. Besides, their constant mobility enables them to avoid illegal status.

Many of the East European "live-out" cleaners, baby sitters and care takers to whom the German middle-class, career-oriented women transfer the reproductive work that they would have done themselves, are themselves also middle class, academics or professionals in their own countries and are trying often to hold on to these jobs. Whereas the former engage in career-building, using their class and citizenship privilege to buy themselves out of performing reproductive tasks, employing other women to perform these tasks, the latter are de-classed (Friese, 1995). Thus, the increasing equal opportunities between German men and women in the outside world are overlapping with increasing inequalities among women: German on the one hand and Polish, Russian, Filipino etc. on the other. As for the gendered division of labour in the household, the presence of foreign female substitutes enables the status quo to be preserved.

Forced Migration and Refugees

Whereas the central European countries were able to negotiate the lifting of visa requirements for their citizens in exchange for being gatekeepers of EU borders (the border guards who were used to prevent their own citizens from emigrating, are now asked to prevent third country citizens from getting in) the post-communist period did not bring freedom of mobility to everybody.

The disintegration of Yugoslavia and of the USSR and the creation of new ethnically-defined nation states created flows of refugees in a long and violent process of unmixing ("unscramble" in H. Arendt's words) of populations. Whereas most of these movements were contained *within* the territories of the former two multinational states, creating voluminous ethnic resettlements, the "spill over" into western Europe occurred only in the case of those from the former Yugoslavia. But this took place *before* the post Yugoslav states were created and before the new visa regulations were imposed on their citizens.

Yugoslavs had strong connections in Western European countries as former guest workers or families of guest workers and as holders of Yugoslav passports they did not need visas for travelling into Western Europe. However, immediately after the recognition of the new states in 1992, visas were imposed by the EU, and gradually other European countries, on their citizens, except Slovenians and with some privileges given to Croatians by Germany.

European authorities also implemented in 1993 a new regime for these refugees, that of "temporary protection". The new legislation created a new category of people to whom the Geneva Convention would not apply. They were "tolerated temporarily" but did not have social rights, rights to family reunion or access to the labour market and were often restricted in their territorial movements. Germany received by far the highest number of refugees. Most were sent back to their countries of origin when the hostilities were over or the situation was considered to be "normal".

It is generally acknowledged that women form a majority of the world's refugees, some 80% (Gottstein, 1995). However, they constitute a minority among the asylum seekers in the countries of destination. Why is it so?

The process of claiming refugee status is formally gender-neutral, but this means that the law does not respond specifically to women's experiences. At its root is the ideology which makes a sharp distinction between public and private spheres with women's roles viewed as being primarily within the private, domestic sphere. Politics is seen as public and therefore predominantly masculine. Women are rarely seen as political actors in their own right and therefore rarely as potential conventional refugees. Because of this lesser likelihood, the families and groups back home are also less likely to sponsor the emigration of a woman than that of a man.

Women arriving with their husbands are generally classified as dependants. There is evidence from surveys in different European countries that this reinforces the existing power relations in the couple or family and facilitates the perpetuation of these power relationships in the country of destination. Women may be reluctant to report domestic violence for fear of jeopardising the family's asylum application.

According to the *Geneva Convention of 1951* it is a persecution or fear of persecution on the grounds of race, religion, nationality, membership of a particular social group or political opinion that can be a legitimate motive for granting political asylum

The recommendation of the European Parliament of 13 April 1984 to the executive committee of the UNHCR to include women victims of specific persecution and inhuman treatment was left to each state to apply or not.

This means that persecution on grounds of sex is not included or fear to gain refugee status women must claim that they have suffered rape, sexual assault or some other violation, as a result of membership of one of the categories listed in the Convention. That is why some have argued in favour of having women classified as a "social group" for asylum purposes. This would be problematic because it could lead to further exclusion and discrimination of women.

Perhaps more than ever before, the wars in former Yugoslavia have brought to the forefront the issue of violence related to warfare and concerning women: rape and forced prostitution. Before the media seized the issue, the cases were simply rejected, "rape and fear of war not being sufficient reasons for granting political asylum, rape being a normal criminal act and not a politically motivated one".⁵ After that, from 1993 in particular, the world wide debate focused on rape, but not so much as violence against women per se, but on ethnic rape, i. e. acts of violence against women of a particular ethnic group and as an instrument of war. It was strong on the agenda when it was instrumental in looking for justification for a military intervention. It is on those grounds that the International war crimes Tribunal in The Hague came up in February 2001 with a historical and, from a feminist point of view, still very controversial judgement (Mishkowski, 2001).⁶ Indeed, the wall of silence around sexualized violence in wars has been broken and the convictions in the Hague may be an important signal and empower women who accepted to witness for the first time in history, only a short time after the facts. However, a hierarchy of sexualized violence is established and it seems that the rape becomes of political concern **only** when it is not only a crime against women but also a crime against the group to which the woman is assumed to belong. Other "non strategic" (non-systematic and non ethnically defined) violence against women becomes less terrible and normal, banalized. The gender specific dimension of rape, the underlying power hierarchies, the continuity of violence in peace and in war remain invisible. However, sexualized violence should be prosecuted always, where ever it takes place and whoever the perpetrators (the US and NATO included) and not only when it can be used for other political purpose (as it was the case to justify a "humanitarian intervention" as in Bosnia).

⁵ *Tageszeitung (Berlin)*, 9 December 1992.

⁶ Three Bosnian Serbs were convicted to 28,20 and 12 years of imprisonment for rape on "Musolim Bosnian Women".

Undocumented migrants and trafficking:

There is more and more trafficking with reliance on professional smugglers or traffickers. Such immigration is estimated today to represent 30% of the flows of the third country nationals towards the EU. It has doubled in one decade in spite of the more and more restrictive measures to prevent it. Some 150,000 people are apprehended every year on the EU borders and the authorities in charge of devising policies of prevention estimate that this is just one quarter of the total "illegal migration". This has been a constant trend in the post-war migrations world wide and suggests that the rich countries remain and will remain accessible whatever measures are taken to curtail migrations (Sassen, 1996). When Europe acts as a fortress narrowing its gates of entry, people are looking for alternative ways to pass, modifying their migration strategies with the aim to undermine the impact of new restrictions.

The increased participation of women in particular in some migratory flows does not necessarily reflect more freedom of movement. Rather, as in the case of trafficked women, their mobility may be totally restricted.

Women are smuggled into a fast growing sector employing almost exclusively women world wide: the entertainment industry and sex labour (www.iom.int).

The traffic in women and girls for the purpose of prostitution may be seen as one aspect of a transnational transfer of sex-affective labour from low income areas to high income areas, to fill gaps which cannot be filled by indigenous labour (Truong, 1996).

It is a growing business for traffickers who understand that it is more profitable to deal in human beings than in drugs, arms or cigarettes, because it provides an opportunity for a long term extortion of money under pressure and is not an "one time affair" only. Trafficking into prostitution and into various forms of sex related entertainment relies sometimes on the system of "mail order brides" and arranged marriages which function via internet to reach customers and for advertising. (Varti, 2002 forthcoming).

While women from South East Asia and Africa have been trafficked into Europe for a long time, women from Eastern Europe and the former Soviet Union are now the majority in this lucrative trade. In Central and Eastern European countries, proximity has lowered the costs of transport and made it easier and more profitable to traffic women from there.

The context in which women and girls are becoming more and more vulnerable to violence and exploitation has already developed an internal dynamic and will be difficult to change. They come from transition economies where structural reforms have adverse effects on their livelihood. Economic and social inequalities and limited opportunities for work in the former communist countries make women easy targets for professionally organised networks that recruit them and assist them in their emigration. Attracted by promises of "decent" and well-paid work through advertising of jobs that do not exist, or kidnapped and sold by their male relatives or boyfriends, these women are trapped in prostitution.

At the same time as being an important source for capital accumulation for various smugglers and their networks, this has become a survival strategy for many households (in Albania, and Moldova, for instance). Besides, trafficking in women for the purpose of prostitution is related to different forms of male mobility: tourism, the mobility of executives (which is also a source of hard currency for the countries), but also to the military and to militarised peace-keeping. This male mobility creates a demand for sexual labour. Sex tourism is not as developed as in Thailand or the Philippines, but Russian girls are available to entertain Chinese or other businessmen on their trips to Russia, women from the Ukraine, Byelorussia, Bulgaria, Rumania are smuggled in/and through the Balkans where the large presence of military peace keeping forces creates a permanent demand for sex workers.

"Guestimates" of the number of prostitutes in Germany vary from 200,000 to 400,000 and a quarter are said to originate from Eastern Europe. In the Czech Republic 70% of the

prostitutes come from the poorer ex-communist countries. German sex tourists now just have to cross the border instead of going as far as Thailand. Along the border between Germany and Czech Republic there is a several miles long strip of brothels where hundreds of ever younger and younger girls from Bulgaria, Belarus, Ukraine and Moldova cater for the needs of clients. According to the estimations of the joint EU police force this is a business equivalent to several billion dollars a year.⁷

Trafficked women and increasingly young girls are coerced into a totally dependent status *vis-à-vis* the trafficker who takes their passports and their return tickets. Women are rotated across the European borders to prevent them from establishing long term connections with the outside world and keeping them within the three-month visa limit corresponding to status as a visitor or tourist. This artificial legality is possible often thanks to a complicity between modern slave traders and the border police of different countries involved in the trafficking route.

Women are usually indebted in their home country in order to pay the trafficker. They also have to pay the "pimp" and for their food and rent. They can keep only a small percentage of what they earn. If they try to leave the relationship or the job, they may be deported as illegal aliens. Most West European governments expel illegally trafficked prostitutes.

There has recently been, however, a significant change in the approach to trafficked women and girls by the local police authorities in some European countries. Italy, Belgium and the Netherlands are taking measures to protect women who were trafficked into prostitution. Rather than being simply treated as illegal and sent back, they are offered shelter, a residence permit, the possibility to have a new identity, and to bring their family. It is expected that they will provide information on traffickers and their networks (*Times* 3, Sept 2001).

Reflecting on some issues for South-East – Central-East Europe comparison

Instead of a conclusion, I would like to raise some of the questions of interest for South east Europe as an equally relatively new receiving space as the Central and Eastern Europe.

The migration contexts are both similar and specific: both are geopolitical areas where the concentration of deep contrasts has generated and will generate migratory movements. In the South, economic prosperity, political stability and low birth rates are geographically close to areas of economic poverty, political unrest and demographic explosion. In the receiving countries of the South and Eastern Europe the fertility rates are very low, and the population is rapidly ageing. Who will support the elderly, and who will do the unattractive jobs in future? To what extent is migration seen as a potential remedy to this situation and what are the policies, if any, that reflect that awareness? What can one expect in the East and Central Europe where, contrary to the South, the main sending areas are themselves characterized by low birth rates? They will be themselves in need of labour sooner or later. Which are the lessons to be learned from the South European migration management so far for the Eastern Europeans, in particular in view of the EU enlargement and the imposition of the "aquis"?

Feminisation of migration is a trend apparent in both parts of Europe. In the South the sex ratios have reversed from the originally male dominated ones, due to the characteristics of labour demand. In female dominated migration the proportion of single women, at least in the beginning of migration flows, is high. What are the implications for the processes of integration and settlement? What models of citizenship and of integration are the dual citizens or their offspring confronted with?

⁷ *Trafficking in Migrants*, Quarterly Bulletin of IOM, Geneva, no. 19, 1999.

Transnational migration in its various forms is a phenomenon widespread in Eastern and in South Europe. Often the very permanent status (permanent residence, marriage with a national, acquisition of citizenship), enables these transnational travels and living in two places. Migration has intensified in the post-communist period and in Europe migration patterns have been diversified, in particular with intensified circulatory, short-term movements. Considering that they have had a dynamising impact on a number of Euro-regions which could now come under question with the strict implementation of the EU policies which focus exclusively on securing external borders by the member candidates (the “acquis”), the question is whether other more flexible migration management in the region is possible? This should take into account local needs rather than inhibit the regional actors in their co-operation.

Trafficking and human smuggling, in particular of women for the entertainment industry, has also been a comparable phenomenon in the two parts of Europe. The European Union states are moving toward uniform legislation to combat human trafficking. So far the enforcement has been uneven. Some countries are starting to have a new approach to the victims of trafficking, offering them security and residence instead of expulsion. To what extent could that approach apply more broadly in all the countries concerned?

Labour recruitment has in European receiving (but officially non-immigration countries), consisted of a variety of “back-door” policies, exceptions, legalisations (amnesties) etc. What are the prospects for more open recruitment strategies which would not turn a blind eye to long term interests and rights of the migrants themselves?

The “fortress Europe” has developed a hostile agenda toward refugees. It implies preventing arrival in Europe, shifting the responsibility of assessment to other countries who have signed the Geneva Convention (most have signed it), the more restrictive application of the Geneva Convention, and the denial of social assistance (access to the labour market, family reunion). This multiplication of statuses, and difficult entry has eroded the image of the refugee, blurring the boundaries between migrants, the undocumented and refugees. What is the situation in the countries more recent signatories of the 1951 Geneva Convention?

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MIGRACIJE U EUROPI DEVEDESETIH

MIRJANA MOROKVAŠIĆ-MÜLLER

Directrice de recherche au CNRS

Université Paris X

Maison Max Weber- LASP

92001- Nanterre Cedex

France

E-mail: marok@u-paris10.fr

Ovaj članak daje pregled glavnih trendova u području novih europskih migracija. Proučava načine na koje ih oblikuju globalni svjetski trendovi. Članak uključuje i perspektivu spolnosti iz koje se mogu promatrati novi migracijski obrasci te osvjetljava neke migrantske strategije otpora sve restriktivnijim migracijskim politikama. Konačno, bavi se i pitanjima relevantnima za usporedbu južne sa srednjom i istočnom Europom.

Novo crtanje granica na karti Europe nakon događaja 1989. i kolapsa komunističkih režima uključilo je do tada nevidenu mobilnost te najavilo novu fazu u povijesti europskih migracija. Jasno razlikovanje zemalja odašiljanja i primanja pomutilo su bivše zemlje odašiljanja, koje su se pojavile istovremeno kao primajuća, odašiljuća i tranzitna područja. Nadalje, prijašnji pretežno radni migracijski obrasci postali su veoma raznoliki: cirkulatorni ili komutirajući migranti, izbjeglice, povratnici, nedokumentirani i prokrijumčarani migranti neke su od brojčano najvažnijih kategorija zajedno s tradicionalnom radnom i obiteljskom migracijom.

Novi oblici migracija nisu pretežito muške: postkomunistička tranzicija pokrenula je velik broj žena koje bježe od novih tržišnih uvjeta ili od novih dominantnih diskursa nacionalističkih projekata u njihovim zemljama porijekla ili su jednostavno privučene izazovima novostečene slobode kretanja.

Cljučne riječi: MIGRACIJE, ROD, POST-KOMUNIZAM, EUROPA