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**Immigration in Europe**

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**Chapter 1. General information on immigration**

***1.1. Immigration***

*Immigration* is the movement of people into one place from another. While human migration has existed throughout human history, immigration implies long-term permanent or forced indefinite residence (and often eventual citizenship) by the immigrants: tourists and short-term visitors are not considered immigrants. However, seasonal labor migration (typically for periods of less than a year) is often treated as a form of immigration. The global volume of immigration is high in absolute terms, but low in relative terms. The International Integration and Refugee Association estimated 190 million international migrants in 2005, about 3 percent of global population. The other 97 percent still live in the state in which they were born, or its successor state. The Middle East, some parts of Europe, little areas of South East Asia, and a few spots in the West Indies have the highest numbers of immigration population recorded by the UN Census 2005.

The modern idea of immigration is related to the development of nation-states and nationality law. Citizenship of a nation-state confers an inalienable right of residence in that state, but residence of immigrants is subject to conditions set by immigration law. The nation-state made immigration a political issue: by definition it is the homeland of a nation defined by shared ethnicity and/or culture. Illegal immigration refers to immigration across national borders in a way that violates the immigration laws of the destination country. Under this definition, an illegal immigrant is a foreigner who either illegally crossed an international political border, be it by land, sea or air, or a foreigner who legally entered a country but nevertheless overstay their visa in order to live and/or work therein.

***1.2. Global statistics***

The European Union allows free movement between member states. Most are from former eastern bloc states to the developed western European states, especially Italy, Spain, Germany and Britain. Noticeably, some countries seemed to be favored by these new EU member nationals than others. For example, there are large numbers of Poles who have moved to the UK, Ireland and Netherlands, while Romanians have chosen Italy and Spain. While France and Germany put in place controls to curb Eastern European migration, the UK (along with Ireland) did not impose restrictions.

Following Poland's entry into the EU in May 2004 it is estimated that by the start of 2007 375,000 Poles have registered to work in the UK, although the total Polish population in the UK is believed hey hoe to be 750,000. Many Poles work in seasonal occupations and a large number is likely to move back and forth including between Ireland and other EU Western nations.

According to Eurostat, Some EU member states are currently receiving large-scale immigration: for instance Spain, where the economy has created more than half of all the new jobs in the EU over the past five years. The EU, in 2005, had an overall net gain from international migration of +1.8 million people. This accounts for almost 85% of Europe's total population growth in 2005.

In 2004, total 140,033 people immigrated to France. Of them, 90,250 were from Africa and 13,710 from Europe. In 2005, immigration fell slightly to 135,890.

In recent years, immigration has accounted for more than half of Norway's population growth. In 2006, Statistics Norway's (SSB) counted a record 45,800 immigrants arriving in Norway — 30% higher than 2005. At the beginning of 2007, there were 415,300 persons in Norway with an immigrant background (i.e. immigrants, or born of immigrant parents), comprising 8.3 per cent of the total population.

In 2004 the number of people who became British citizens rose to a record 140,795 - a rise of 12% on the previous year. This number had risen dramatically since 2000. The overwhelming majority of new citizens come from Africa (32%) and Asia (40%), the largest three groups being people from Pakistan, India and Somalia. In 2005, an estimated 565,000 migrants arrived to live in the UK for at least a year, most of the migrants were people from Asia, the Indian sub-continent and Africa, while 380,000 people emigrated from the UK for a year or more, with Australia, Spain and France most popular destinations.

British emigration towards Southern Europe is of special relevance. Citizens from the European Union make up a growing proportion of immigrants in Spain. They mainly come from countries like the UK and Germany, but the British case is of special interest due to its magnitude. The British authorities estimate that the real population of UK citizens living in Spain is much larger than Spanish official figures suggest, establishing them at about 1.000.000, about 800.000 being permanent residents. According to the Financial Times, Spain is the most favoured destination for West Europeans considering to move from their own country and seek jobs elsewhere in the EU.

Since 2000, Spain has absorbed around 4 million immigrants, adding 10% to its population. Immigrant population now tops over 4.5 million. According to residence permit data for 2005, about 500,000 were Moroccan, another 500,000 were Ecuadorian, more than 200,000 were Romanian, and 260,000 were Colombian. In 2005 alone, a regularization programme increased the legal immigrant population by 700,000 people.

## *1.3. Causes*

Theories of immigration traditionally distinguish between push factors and pull factors. Push factors refer primarily to the motive for emigration from the country of origin. In the case of economic migration (usually labor migration), differentials in wage rates are prominent. Poor individuals from less developed countries can have far higher standards of living in developed countries than in their originating countries. Escape from poverty (personal or for relatives staying behind) is a traditional push factor, the availability of jobs is the related pull factor. Natural disasters and overpopulation can amplify poverty-driven migration flows. This kind of migration may be illegal immigration in the destination country (emigration is also illegal in some countries, such as North Korea).

Emigration and immigration are sometimes mandatory in a contract of employment: religious missionaries, and employees of transnational corporations, international non-governmental organizations and the diplomatic service can expect to work 'overseas'. They are often referred to as 'expatriates', and their conditions of employment are typically equal to or better than those applying in the host country (for similar work).

For some migrants, education is the primary pull factor (although most international students are not classified as immigrants, but may choose to do so if they refuse to return). Retirement migration from rich countries to lower-cost countries with better climate, is a new type of international migration. Examples include immigration of retired British citizens to Spain or Italy and of retired Canadian citizens to the US (mainly to the state of Florida). Some, although relatively few, immigrants justify their drive to be in a different country for cultural or health related reasons and very seldom, again in relative quantitative terms compared to the actual number of international migrants world-wide, choose to migrate as a form of self-expression towards the establishment or to satisfy their need to directly perceive other cultural environments because economics is almost always the primary motivator for constant, long-term, or permanent migration, but especially for that type of inter-regional or inter-continental migration; that holds true even for people from developed countries.

Non-economic push factors include persecution (religious and otherwise), frequent abuse, bullying, oppression, ethnic cleansing and even genocide, and risks to civilians during war. Political motives traditionally motivate refugee flows - to escape dictatorship for instance.

Some migration is for personal reasons, based on a relationship (e.g. to be with family or a partner), such as in family reunification or transnational marriage. In a few cases, an individual may wish to emigrate to a new country in a form of transferred patriotism. Evasion of criminal justice (e.g. avoiding arrest) is a (mostly negative) personal motivation. This type of emigration and immigration is not normally legal, if a crime is internationally recognized, although criminals may disguise their identities or find other loopholes to evade detection. There have been cases, for example, of those who might be guilty of war crimes disguising themselves as victims of war or conflict and then pursuing asylum in a different country.

Barriers to immigration come not only in legal form; natural barriers to immigration can also be very powerful. Immigrants when leaving their country also leave everything familiar: their family, friends, support network, and culture. They also need to liquidate their assets often at a large cost, and incur the expense of moving. When they arrive in a new country this is often with many uncertainties including finding work, where to live, new laws, new cultural norms, language or accent issues, possible racism and other exclusionary behavior towards them and their family. These barriers act to limit international migration: scenarios where populations move en masse to other continents, creating huge population surges, and their associated strain on infrastructure and services, ignore these inherent limits on migration.

***1.4. Supporting arguments***

*General arguments*

The main arguments cited in support of immigration are economic arguments, such as a free labor market, and cultural arguments appealing to the value of cultural diversity. Some groups also support immigration as a device to boost small population numbers, like in New Zealand and Canada, or, like in Europe, to reverse demographic aging trends.

Support for fully open borders is limited to a minority. Some free-market libertarians believe that a free global labor market with no restrictions on immigration would, in the long run, boost global prosperity. There are also groups which oppose border controls on ideological grounds - believing that people from poor countries should be allowed to enter rich countries, to benefit from their higher standards of living. Others are advocates of world government and wish to eliminate or severely limit the power of nation-states. This includes the nation-state's ability to grant and deny individuals entry across borders, which advocates of world government generally view as arbitrary and unfair distinctions made on what should be one planet earth, thus eliminating diversity and competition among states.

*Economic arguments*

Countries like New Zealand, which has experimented with both qualifications- and job-offer-based entry systems, have reported that under the latter system (where much weight is put on the immigrant already having a job offer), the immigrants actually show a much lower uptake of government benefits than the normal population. Under a mostly qualification-based system, many highly trained doctors and engineers had instead been reduced to driving taxis.

***1.5. Opposing arguments***

The main anti-immigration themes include costs of immigration (potential free-riding on existing welfare systems), labor competition; environmental issues (the impact of population growth); national security (concerns of insular immigrant groups & terrorism against the host country); lack of coordination & cooperation among citizens (differences of language, conventions, culture); and the loss of national identity and culture (including the nature of the nation-state itself).

*Health arguments*

Immigration from areas of high incidence is thought to have fueled the resurgence of tuberculosis (TB), chagas, hepatitis, and leprosy in areas of low incidence. To reduce the risk of diseases in low-incidence areas, the main countermeasure has been the screening of immigrants on arrival. According to CDC, TB cases among foreign-born individuals remain disproportionately high, at nearly nine times the rate of U.S.-born persons. In 2003, nearly 26 percent of foreign-born TB patients in the United States were from Mexico. Another third of the foreign-born cases were among those from the Philippines, Vietnam, India and China, the CDC report said.

The history of HIV/AIDS in the United States began in about 1969, when HIV likely entered the United States through a single infected immigrant from Haiti.

*Economic arguments*

Economic needs-driven immigration is opposed by labor-market protectionists, often arguing from economic nationalism. The core of their arguments is that a nation's jobs are the 'property' of that nation, and that allowing foreigners to take them is equivalent to a loss of that property. They may also criticize immigration of this type as a form of corporate welfare, where business is indirectly subsidized by government expenditure to promote the immigration and the assimilation of the immigrants. A more common criticism is that the immigrant employees are almost always paid less than a non-immigrant worker in the same job, and that the immigration depresses wages, especially as immigrants are usually not unionized. Other groups feel that the focus should be not on immigration control, but on equal rights for the immigrants, to avoid their exploitation.

*Nationalistic arguments*

Non-economic opposition to immigration is closely associated with nationalism, in Europe a 'nationalist party' is almost a synonym for 'anti-immigration party'.

The primary argument of some nationalist opponents in Europe is that immigrants simply do not belong in a nation-state which is by definition intended for another ethnic group. France, therefore, is for the French, Germany is for the Germans, and so on. Immigration is seen as altering the ethnic and cultural composition of the national population, and consequently the national character. From a nationalist perspective, high-volume immigration potentially distorts or dilutes their national culture more than is desired or even necessary. Germany, for example, was indeed intended as a state for Germans: the state's policy of mass immigration was not foreseen by the 19th-century nationalist movements. Immigration has forced Germany and other western European states to re-examine their national identity: part of the population is not prepared to redefine it to include immigrants. It is this type of opposition to immigration which generated support for anti-immigration parties such as Vlaams Belang in Belgium, the British National Party in Britain, the Lega Nord in Italy, the Front National in France, and the Lijst Pim Fortuyn in the Netherlands.

One of the responses of nation-states to mass immigration is to promote the cultural assimilation of immigrants into the national community, and their integration into the political, social, and economic structures. In Europe, where nation-states have a tradition of national unification by cultural and linguistic policies, variants of these policies have been proposed to accelerate the assimilation of immigrants. The introduction of citizenship tests for immigrants is the most visible form of state-promoted assimilation. The test usually include some form of language exam, and some countries have reintroduced forms of language prohibition.

*Environmentalist arguments*

Most European countries do not have the high population growth of the United States, and some experience population decline. In such circumstances, the effect of immigration is to reduce decline, or delay its onset, rather than substantially increase the population. The Republic of Ireland is one of the only EU countries comparable to the United States in this respect, since large-scale immigration contributed to substantial population growth. Spain has also witnessed a recent boost in population due to high immigration.

***1.6. As political issue***

The political debate about immigration is now a feature of most developed countries. Some countries such as Italy, and especially the Republic of Ireland and Spain, have shifted within a generation, from traditional labor emigration, to mass immigration, and this has become a political issue. Some European countries, such as the United Kingdom and Germany, have seen major immigration since the 1960's and immigration has already been a political issue for decades. Political debates about immigration typically focus on statistics, the immigration law and policy, and the implementation of existing restrictions. In some European countries the debate in the 1990's was focused on asylum seekers, but restrictive policies within the European Union have sharply reduced asylum seekers. In Western Europe the debate focuses on immigration from the Enlargement of the European Union and new member states of the EU, especially from Poland.

The politics of immigration have become increasingly associated with others issues, such as national security, terrorism, and in western Europe especially, with the presence of Islam as a new major religion. Some components of conservative movements see an unassimilated, economically deprived, and generally hostile immigrant population as a threat to national stability; other elements of conservative movements welcome immigrant labor. Those with security concerns cite the 2005 civil unrest in France that point to the Jyllands-Posten Muhammad cartoons controversy as an example of the value conflicts arising from immigration of Muslims in Western Europe. Because of all these associations, immigration has become an emotional political issue in many Western nations.

**Chapter 2. Immigration in Europe**

***2.1. France***

As of 2006, the French national institute of statistics INSEE estimated that 4.9 million foreign-born immigrants live in France (8% of the country's population): The number of French citizens with foreign origins is generally thought to be around 6.7 million according to the 1999 Census conducted by INSEE, which ultimately represents one tenth of the country's population. (Ranked by the largest national groups, above 60,000 persons)

Most of the population from immigrant stock is of European descent (mainly from Greece, Italy, Spain, and Portugal as well as Poland, Romania, Russia, Ukraine, and the former Yugoslavia) although France has a sizeable population of Arabs and Africans from its former colonies, the proportion of immigrants in France is on par with other European nations such as the United Kingdom (8%), Germany (9%), the Netherlands (18%), Sweden (13%) and Switzerland (19%). Estimates of each South and Southeast Asian (i.e. Indians and Vietnamese) and Latin American (Haitians, Chileans and Argentines) nationalities living in France are under 50,000 each.

According to Michèle Tribalat, researcher at INED, it is very difficult to estimate the number of French immigrants or born to immigrants, because of the absence of official statistics. Only three surveys have been conducted: in 1927, 1942, and 1986 respectively. According to a 2004 study, there were approximatively 14 million persons of foreign ancestry, defined as either immigrants or people with at least one parent, grandparent, or great-parent emigreé. 5.2 million of these people were from South-European ascendency (Italy, Spain, Portugal); and 3 million come from the Maghreb (North Africa).

In 2004, a total of 140,033 people immigrated to France. Of them, 90,250 were from Africa and 13,710 from Europe. In 2005, immigration level fell slightly to 135,890. The European Union allows free movement between the member states. While the UK (along with Ireland and Sweden ) did not impose restrictions, France put in place controls to curb Eastern European migration.

In the 2000s, the net migration rate was estimated to be 0.66 migrants per 1,000 population a year. This is a very low rate of immigration compared to other European countries, the USA or Canada. Since the beginning of the 1990s, France has been attempting to curb immigration, first with the Pasqua laws, followed by both right-wing and socialist-issued laws. The immigration rate is currently lower than in other European countries such as United Kingdom and Spain; however, some say it is doubtful that the policies in themselves account for such a change. Again, as in the 1920s and 1930s, France stands in contrast with the rest of Europe. Back in the 1920s and 1930s, when European countries had a high fertility rate, France had a low fertility rate and had to open its doors to immigration to avoid population decline. Today, it is the rest of Europe that has very low fertility rates, and countries like Germany or Spain avoid population decline only through immigration. In France, however, fertility rate is still fairly high for European standards, in fact the highest in Europe after Ireland, and so most population growth is due to natural increase, unlike in the other European countries. This difference in immigration trends is also due to the fact that the labor market in France is currently less dynamic than in other countries such as the UK, Ireland or Spain , this may even be a more relevant factor than low birth rates (because Ireland has both the highest fertility and the highest net immigration rate in Europe, whereas Eastern European countries such as Poland or Ukraine have both a low fertility and a high net emigration rate, as well as a high unemployment rate).

For example, according to the UK Office for National Statistics, in the three years between July 2001 and July 2004 the population of the UK increased by 721,500 inhabitants, of which 242,800 (34%) was due to natural increase, and 478,500 (66%) to immigration. According to the INSEE, in the three years between January 2001 and January 2004 the population of Metropolitan France increased by 1,057,000 inhabitants, of which 678,000 (64%) was due to natural increase, and 379,500 (36%) to immigration.

The latest 2006 demographic statistics have been released, and France's birth and fertility rates have continued to rise. The fertility rate increased to 2.00, the highest of the G-7 countries, and for the first time approaches the fertility rate of the United States.

***2.2. Germany***

On 1 January 2005, a new Immigration Law came into effect that altered the legal method of immigration to Germany. The practical changes to the immigration procedures and limitations were relatively minor. Traditionally, Germany has not considered itself a country with a need for large numbers of immigrants and has limited entry accordingly.

Immigrating to Germany as a non EU-citizen has not become easier under the new law as it continues to limit the recruitment of foreign employees. This limitation applies most particularly to unskilled or semi-skilled employees. In order to obtain a work permit one must demonstrate a justified individual need or public interest in the employment. Without a concrete job offer one has almost no chance of getting a residence permit. Different rules apply to refugees, asylum seekers, EU citizens, family members of German citizens, and close relatives of individuals already living in Germany.

Thereafter, the prospective employer has to announce this engagement to the employment centre (Arbeitsagentur). The “Arbeitsagentur” only agrees to issue a residency permit if there is no German or otherwise privileged foreign employee available for the employment.

There are exceptions, in particular for highly qualified employees. The judgement of whether an applicant is highly qualified or not can based on various factors, including education, the type of job, or a salary above a certain threshold. The threshold is currently set at 85.500 € p.a.) Highly qualified employees might immediately receive a permanent residence permit (“Niederlassungserlaubnis”). Spouses and children moving with them are allowed to work without having to get additional permits (this exception includes other relatives in limited situations). The process is similar to highly skilled immigrant programs in the United States and other European countries. The German scheme is similar to ones operated by other European countries, for example the United Kingdom's Highly Skilled Migrant Programme. The major difference is that the salary threshold is the highest of any European country with similar work visas. For example, Austria's income requirements are around 50% less that of Germany.

Self-employed people can get a residence permit, so long as the government finds that the job would fulfill a superior economic interest, fulfill a regional need, or have an expected net positive effect on the economy. Furthermore, the sponsor must guarantee the financing. Once an immigrant has met those requirement, an individual inquiry will take place as to whether a German citizen or preferred immigrant could perform the same job function. As a general rule these requirements will be assumed if at least ten jobs will be created and 1 million € invested. The assessment of the requirements will conform to the quality of the business idea, the entrepreneurial experience of the applicant, the capital expenditure, the effects on employment and out–of–school education, and the contribution to innovation and research. A residence permit to work self-employed could also be issued, if there are mutual benefits according to international law. After three years one may apply for and receive a permanent residence permit “Niederlassungserlaubnis”, so long as the planned idea is put into practice successfully and one's livelihood is secured.

Foreign students can stay for one year after a university degree in order to find a job matching their qualifications.

***2.3. Spain***

The population of Spain doubled during the twentieth century, due to the spectacular demographic boom by the 60's and early 70's. Then, the birth rate plunged by the 80's and Spain's population became stalled, its demographics showing one of the lowest sub replacement fertility rate in the world, only second to Japan's. Many demographers have linked Spain's very low fertility rate to the country's lack of any real family planning policy. Spain is the Western European country that spends least on family support (0.5% of GDP). A graphic illustration of the enormous social gulf between Spain and the rest of Europe in this field is the fact that a Spanish family would need to have 57 children to enjoy the same financial support as a family with 3 children in Luxembourg.

In emigration/immigration terms, after centuries of net emigration, Spain, has recently experienced large-scale immigration for the first time in modern history. According to the Spanish government there were 4,145,000 foreign residents in Spain in January 2007. Of these well over half a million were Moroccan while the Ecuadorians figure was around half a million as well. Romanian and Colombian populations amounted to around 300,000 each. There are also a significant number of British (274,000 as of 2006) and German (133,588) citizens, mainly in Alicante, Málaga provinces, Balearic islands and Canary islands. Chinese in Spain are estimated to number between ten and sixty thousand. Immigrants from several sub-Saharan African countries have also settled in Spain as contract workers, although they represent only 4.08% of all the foreign residents in the country.

During the early 2000s, the mean year-on-year demographic growth set a new record with its 2003 peak variation of 2.1%, doubling the previous record reached back in the 1960s when a mean year on year growth of 1% was experienced. This trend is far from being reversed at the present moment and, in 2005 alone, the immigrant population of Spain increased by 700 000 people.

## *Currently*

According to the Spanish government there were 3.7 million foreign residents in Spain in 2005; independent estimates put the figure at 4.8 million or 15.1% of total population (Red Cross, World Disasters Report 2006). According to residence permit data for 2005, around 500,000 were Moroccan, another half a million were Ecuadorian, more than 200,000 were Romanians and 260,000 were Colombian. Other important foreign communities are British (8.09%), French (8.03%), Argentine (6.10%), German (5.58%) and Bolivian (2.63%). In 2005, a regularization program increased the legal immigrant population by 700,000 people. Since 2000 Spain has experienced high population growth as a result of immigration flows, despite a birth rate that is only half of the replacement level. This sudden and ongoing inflow of immigrants, particularly those arriving clandestinely by sea, has caused noticeable social tensions.

Spain currently has the second highest immigration rates within the EU, just after University Village, and the second highest absolute net migration in the World (after the USA). This can be explained by a number of reasons including its geographical position, the porosity of its borders, the large size of its submerged economy and the strength of the agricultural and construction sectors which demand more low cost labour than can be offered by the national workforce. In fact, booming Spain has been Europe's largest absorber of migrants for the past six years, with its immigrant population increasing fourfold as 2.8 million people have arrived.

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## *Immigrants from the European Union*

Immigrants from the European Union make up a growing proportion of immigrants in Spain. They mainly come from countries like Romania, the UK and Germany, but the British case is of especial relevance due to its magnitude. The British authorities estimate that the real population of UK citizens living in Spain is much bigger than Spanish official figures suggest, establishing them at about 1.000.000, about 800.000 being permanent residents.

In fact, according to the Financial Times, Spain is the most favored destination for West Europeans considering to move from their own country and seek jobs elsewhere in the EU.

***2.4. United Kingdom***

Since the formation of the United Kingdom of Great Britain and Northern Ireland in 1922 there has been substantial immigration from other parts of the world. In particular, migrants have arrived from Ireland and the former colonies of the British Empire - such as India, Bangladesh, Pakistan, the Caribbean, South Africa, Kenya and Hong Kong - under British nationality law. Others have come as asylum seekers, seeking protection as refugees under the United Nations 1951 Refugee Convention, or from European Union (EU) member states, exercising one of the EU's Four Freedoms.

The census in 2001 gave some guidance as to the current ethnic groups of the United Kingdom. About half the population increase between 1991 and 2001 was due to foreign-born immigration. 4.9 million people (8.3 percent of the population at the time) were born abroad, although the census gives no indication of their immigration status or intended length of stay.

In 2006, there were 149,035 applications for British citizenship, 32 per cent fewer than in 2005. The number of people granted citizenship during 2006 was 154,095, 5 per cent fewer than in 2005. The largest groups of people granted British citizenship were from India, Pakistan, Somalia and the Philippines. In 2006, 134,430 people were granted settlement in the UK, a drop of 25 per cent on 2005.

*British Empire & the Commonwealth*

During this period, the British Empire covered most of the globe, at its peak over a third of the world's people lived under British rule. Both during this time, and following the granting of independence to most colonies after World War II, the vast majority of immigrants to the UK were from either current or former colonies, most notably those in the Caribbean and the Indian subcontinent. These people filled a gap in the UK labor market for unskilled jobs and many people were specifically brought to the UK on ships such as the Empire Windrush.

In 1962, the Commonwealth Immigrants Act was passed by the British government, restricting the freedom of passage into the UK from other parts of the Commonwealth. By 1972, only holders of work permits, or people with parents or grandparents born in the UK could gain entry - effectively stemming primary immigration from Commonwealth countries.

The Ireland Act 1949 has the unusual status of recognizing the Republic of Ireland, but affirming that its citizens are not citizens of a foreign country. This was at a time when a republic was not allowed to be a member of the Commonwealth of Nations.

*World War II*

In the lead up to the World War II, many Germans, particularly those belonging to minorities which were persecuted under Nazi rule, such as Jews, sought to emigrate to the United Kingdom, and it is estimated that as many as 50,000 may have been successful. There were immigration caps on the number who could enter and, subsequently, some applicants were turned away. When the UK was forced to declare war on Germany, however, migration between the countries ceased.

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## *Post-war immigration (1945-1983)*

Until the Commonwealth Immigrants Act 1962, all Commonwealth citizens could enter and stay in the United Kingdom without any restriction. The Commonwealth Immigrants Act 1962 made Citizens of the United Kingdom and Colonies (CUKCs) whose passports were not directly issued by the United Kingdom Government (i.e. passports issued by the Governor of a colony or by the Commander of a British protectorate) subject to immigration control.

Indians began arriving in the UK in large numbers shortly after their country gained independence in 1947. More than 60,000 arrived before 1955, many of whom drove buses, or worked in foundries or textile factories. Later arrivals opened corner shops or ran post offices. The flow of Indian immigrants peaked between 1965 and 1972, boosted in particular by Idi Amin's sudden decision to expel all 90,000 Gujarati Indians from Uganda.

By 1972, only holders of work permits, or people with parents or grandparents born in the UK could gain entry - effectively stemming primary immigration from Commonwealth countries.

Following the end of World War II, substantial groups of people from Soviet-controlled territories settled in Britain, particularly Poles and Ukrainians. The UK recruited displaced people as so-called European Volunteer Workers in order to provide labor to industries that were required in order to aim economic recovery after the war. In the 1951 census, the Polish-born population of the UK numbered some 162,339, up from 44,642 in 1931.

There was also an influx of refugees from Hungary, following the crushing of the 1956 Hungarian revolution, numbering 20,990.

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## *Contemporary immigration (1983 onwards)*

The British Nationality Act 1981, which was enacted in 1983, distinguishes between British citizen or British Overseas Territories citizen. The former hold nationality by descent and the latter hold nationality other than by descent. Citizens by descent cannot automatically pass on British nationality to a child born outside the United Kingdom or its Overseas Territories (though in some situations the child can be registered as a citizen).

Immigration officers have to be satisfied about a person's nationality and identity and entry could be refused if they were not satisfied.

*European Union*

One of the Four Freedoms of the European Union, of which the United Kingdom is a member, is the right to the free movement of people.

Since the expansion of the EU on 1 May 2004, the UK has accepted immigrants from Central and Eastern Europe, Malta and Cyprus, although the substantial Maltese and Greek- and Turkish-Cypriot communities were established earlier through their Commonwealth connection. There are restrictions on the benefits that members of eight of these accession countries can claim, which are covered by the Worker Registration Scheme. Most of the other European Union member states have exercised their right for temporary immigration control (which must end by 2011) over entrants from these accession states, although some are now removing these restrictions.

The Home Office publishes quarterly statistics on the number of applications to the Worker Registration Scheme. Figures published in August 2007 indicate that 682,940 people applied to the scheme between 1 May 2004 and 31 June 2007, of whom 656,395 were accepted. Self-employed workers and people who are not working (including students) are not required to register under the scheme so this figure represents a lower limit on immigration inflow. These figures do not indicate the number of immigrants who have since returned home, but 56 per cent of applicants in the 12 months ending 30 June 2007 reported planning to stay for a maximum of three months. Figures for total immigration show that there was a net inflow of 64,000 people from the eight Central and Eastern European accession states in 2005. An investigation by more4 found that Poles (who make up the majority of those registered with the WRS) currently represent a substantial proportion of the population of some UK cities.

The Government announced that the same rules would not apply to nationals of Romania and Bulgaria when those countries acceded to the EU in 2007. Instead, restrictions were put in place to limit migration to students, the self-employed, highly skilled migrants and food and agricultural workers. Statistics released by the Home Office indicate that in the first three months of Romania and Bulgaria's EU membership, 7,120 people (including family members) from the two countries successfully registered on the various schemes. Between April and June 2007, a further 9,335 Bulgarian and Romanian nationals had their applications granted. This includes those registering as self-employed and self-sufficient. An additional 3,980 were issued cards for the Seasonal Agricultural Workers Scheme (SAWS).

*Managed migration*

"Managed migration" is the term used for all legal work permits and visas and this accounts for a substantial percentage of overall immigration figures for the UK. Many of the immigrants who arrive under these schemes bring skills which are in short supply in the UK. This area of immigration is managed by Work Permits (UK), a department within the Home Office. Applications are made at UK Embassies or Consulates or directly to Work Permits (UK), depending upon the type of visa or permit required.

Employer Sponsored Work Permits allow employers to sponsor an employee's entrance into the UK by demonstrating that they possess skills that cannot be found elsewhere. Immigrants who have education or experience in occupations which are listed on the Skills Shortage List may apply for a work permit. This includes engineers, doctors, nurses, actuaries and teachers. Employers can also obtain work permits for occupations not on the Skills Shortage List by advertising the position and demonstrating that no suitable UK resident or EU worker can be found. Approvals for a work permit are usually based upon the suitability of the applicant to the role, by education and/or experience.

In addition there is a points-based system called the Highly Skilled Migrant Program (HSMP) which allows a highly skilled migrant to enter the UK with the right to work without first having to find an offer of employment and without an employer needing to sponsor the visa. Points are awarded for education, work experience, past earnings, achievements in the field and achievements of the applicant's partner. There are also points for being aged under 28 and for doctors currently working in the UK.

Some people work in the UK under a Working holiday visa which allows 12 months of work within a 24 month period for those aged 17 to 30. UK Ancestry Entry Clearance allows a person to work in the UK for five years if they have a grandparent who was born in the United Kingdom, Channel Islands and Isle of Man at any time; or a grandparent born in what is now the Republic of Ireland on or before March 31, 1922. After that they may apply for Indefinite leave to remain.

In April 2006 changes to the current Managed Migration system were proposed that would primarily create one Points Based Migration system for the UK. The suggested replacement for HSMP (Tier 1 in the new system) gives points for age and none for work experience. This points based system is yet to be finalized and it is thought likely that the new system will be introduced no earlier than mid-2007.

*Refugees and asylum seekers*

The UK is a signatory to the United Nations Convention Relating to the Status of Refugees the intake of refugees, which means that it has a responsibility under international law are obliged not to return (or refoule) refugees to the place where they would face persecution.

Nonetheless the issue of immigration has been a controversial political issue since the late 1990s. Both the ruling Labour Party and the opposition Conservatives have suggested policies perceived as being "tough on asylum" (although the Conservatives have dropped a previous pledge to limit the number of people who could claim asylum in the UK, which would likely have breached the UN Refugee Convention) and the tabloid media frequently print headlines about an "immigration crisis".

This is denounced by those seeking to ensure that the UK upholds it international obligations as disproportionate. Critics suggest that much of the opposition to high levels of immigration by refugees is based on racism. Concern is also raised about the treatment of those held in detention and the practice of dawn raiding families, and holding young children in immigration detention centers for long periods of time.

However, critics of the UK's asylum policy often point out the "safe third country rule" - the international agreement that asylum seekers must apply in the first free nation they reach, not go "asylum shopping" for the nation they prefer. EU courts have upheld this policy. Since the UK is geographically much further removed from any third world nation than most other European countries, many assume that asylum seekers in the UK choose it out of preference rather than absolute necessity.

In February 2003, Prime Minister Tony Blair promised on television to reduce the number of asylum seekers by half within 7 months, apparently catching unawares the members of his own government with responsibility for immigration policy. David Blunkett, the then Home Secretary, called the promise an objective rather than a target. It was met according to official figures, despite increase world instability caused by the Iraq War. There is also a Public Performance Target to remove more asylum seekers who have been judged not to be refugees under the international definition than new anticipated unfounded applications. This target was met early in 2006.

Official figures for numbers of people claiming asylum in the UK were at a 13 year low by March 2006. Opponents of the government's policies on asylum seekers and refugees, such as Migration Watch UK and some newspapers are critical of the way official figures are calculated.

Human rights organizations such as Amnesty International have argued that the government's new policies, particularly those concerning detention centers, have detrimental effects on asylum applicants and those facilities have seen a number of hunger strikes and suicides. Others have argued that recent government policies aimed at reducing 'bogus' asylum claims have had detrimental impacts on those genuinely in need of protection.

*Illegal immigration*

Illegal (sometimes termed irregular) immigrants in the UK include those who have:

* entered the UK without authority
* entered with false documents
* overstayed their visas

Although it is difficult to know how many people reside in the UK illegally, a Home Office study released in March 2005 estimated a population of between 310,000 and 570,000. Migration Watch UK has criticised the Home Office figures for not including the UK-born dependent children of unauthorised migrants. They suggest the Home Office has underestimated the numbers of unauthorised migrants by between 15,000 and 85,000. In the past the UK government has stated that the figures Migration Watch produces should be treated with considerable caution.

A recent study into irregular immigration states that "most irregular migrants have committed administrative offences rather than a serious crime".

Jack Dromey, Deputy General of the Transport and General Workers Union and Labour Party treasurer, suggested in May 2006 that there could be around 500,000 illegal workers. He called for a public debate on whether an amnesty should be considered. David Blunkett has suggested that this might be done once the identity card scheme is rolled out. London Citizens, a coalition of community organisations, is running a regularisation campaign called Strangers into Citizens, backed by figures including the leader of the Catholic church in England and Wales, the Cardinal Cormac Murphy-O'Connor.

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## *Legal advice*

Although the guidance notes and numerous online resources are available to help out people applying for immigration to United Kingdom, one can also seek legal advice for this matter. The guidelines to the immigration programs states that immigration advisers should fulfill the requirements of good practice. An independent public body set up under the Immigration and Asylum Act 1999 named The Office of the Immigration Services Commissioner (OISC) maintains and publishes the register of advisers. Legal advisers for these applications are required to provide their full details along with the OISC number with each application. A complete list of OISC immigration advisers can be found on their website.

***2.5. Greece***

Greece is largely an ethnically homogeneous state, and throughout the early period of its modern history it experienced emigration far more than immigration, particularly throughout the mid 20th century owing to the Greek Civil War and The Second World War (around 12% of the Greek population emigrated from 1881-1951). The only previous (prior to 1990) examples of large scale immigration throughout Modern Greek History were the population exchanges between Greece and Turkey. Though the 1970s experienced the arrival of a small number of Polish, African, Egyptian and South Asian migrants (around 50,000 in total).

Throughout the 1990s, however, there has been a rise in large scale immigration, a large portion of it illegal, from neighboring Balkan countries, particularly Albania into Greece. This has become a major political issue in Greece and all major parties have addressed policies aiming to deal with it. However, in recent years statistics show that the relative peace in the Balkans today has led to a decline among Balkan based immigration to Greece. Other recent immigrant communities are Pakistanis, Iraqis and immigrants from sub-Saharan Africa.

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## *Reasons for large scale immigration in the 1990s*

The reasons for this widespread immigration throughout the 1990s are widespread, the fall of the Soviet Union, compounded with other Balkan problems such as the Yugoslav Wars led to widespread political unrest and political uncertainty not only in the Balkans, but throughout other former Eastern Bloc countries as well. The demography of the region is also of particular interest, both Greece and Italy, which have aging populations, attracted immigration from countries with a younger workforce, the push factor being the latter's inability to find jobs in their home country combined with Greece's need for cheap labour (especially in small scale family businesses, which are still prevalent). Another primary factor in this large scale rise in immigration is also the narrowing of the gap in terms of living standards between Northern Europe and Southern Europe, Greece has become, according to some, an attractive destination to economic migrants because of steady growth rates and EU member status - the presence of an informal economy that pays well has also added to this 'pull' factor in immigration trends, for example - An Albanian worker in Albania is paid on average $3 per hour, whereas he or she can earn anywhere from $6-$10 on average for working an informal sector job within Greece. Greece's large coastline and multiple islands mean that policing the entry of migrants has also become increasingly difficult, as Greece's reliance on Tourism has meant that borders have never been harshly policed (though this has begun to change as with the rest of the continent).

**Chapter 3. Conclusion**

Freedom of movement is often recognized as a civil right, the freedom only applies to movement within national borders: it may be guaranteed by the constitution or by human rights legislation. Additionally, this freedom is often limited to citizens and excludes others. No state currently allows full freedom of movement across its borders, and international human rights treaties do not confer a general right to enter another state. According to Article 13 of the Universal Declaration of Human Rights, citizens may not be forbidden to leave their country. There is no similar provision regarding entry of non-citizens. Those who reject this distinction on ethical grounds, argue that the freedom of movement both within and between countries is a basic human right, and that the restrictive immigration policies, typical of nation-states, violate this human right of freedom of movement. Such arguments are common among anti-state ideologies like anarchism and libertarianism. Note that a right to freedom of entry would not, in itself, guarantee immigrants a job, housing, health care, or citizenship.

Where immigration is permitted, it is typically selective. Ethnic selection, such as the White Australia policy, has generally disappeared, but priority is usually given to the educated, skilled, and wealthy. Less privileged individuals, including the mass of poor people in low-income countries, cannot avail of these immigration opportunities. This inequality has also been criticized as conflicting with the principle of equal opportunities, which apply (at least in theory) within democratic nation-states. The fact that the door is closed for the unskilled, while at the same time many developed countries have a huge demand for unskilled labor, is a major factor in illegal immigration. The contradictory nature of this policy - which specifically disadvantages the unskilled immigrants while exploiting their labor - has also been criticized on ethical grounds.

Immigration polices which selectively grant freedom of movement to targeted individuals are intended to produce a net economic gain for the host country. They can also mean net loss for a poor donor country through the loss of the educated minority - the brain drain. This can exacerbate the global inequality in standards of living that provided the motivation for the individual to migrate in the first place. An example of the 'competition for skilled labor' is active recruitment of health workers by First World countries, from the Third World.

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