

International Migration Papers

24

Labour immigration and integration in low- and middle-income countries: Towards an evaluation of the effectiveness of migration policies

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Table of contents

1. Introduction	1
2. A heuristic model to evaluate the effectiveness of labour immigration policies	3
2.2. Implementation	8
2.3. Status of foreign workers	13
2.4. Consequences of legal statuses (a), (b), (c) and (d)	17
2.4.1. Data on work and wages	17
2.4.2. Data on housing	18
2.4.3. Data on residence status	18
2.4.4. Other rights and protection against arbitrary measures	19
2.5. Level of labour market integration in each sector	19
2.6. Level of general immigrant integration	22
3. The way ahead	23
3.1. Instruments generating information to evaluate labour market integration	24
3.2. Methods to enlarge instruments	26
4. Conclusions	27
References	28
Annex A	27
Annex B	29
International migration papers	33

Foreword

This is a paper of the ILO's Migration Programme, located within the Conditions of Work Branch. The objectives of the Programme are to contribute to (i) the formulation, application and evaluation of international migration policies suited to the economic and social aims of governments, employers' and workers' organizations, (ii) the increase of equality of opportunity and treatment of migrants and the protection of their rights and dignity. Its means of action are research, technical advisory services and co-operation, meetings and work concerned with international labour standards. Under the Programme the ILO also collects, analyses and disseminates relevant information and acts as the information source for its constituents, ILO units and other interested parties.

The ILO has a constitutional obligation to protect the 'interests of workers when employed in countries other than their own'. This has traditionally been effected through the elaboration, adoption and supervision of international labour standards, in particular the Migration for Employment Convention (Revised), 1949 (No. 97); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143); and the non-binding Recommendations supplementing them. International legal instruments of this kind are designed to influence national legislation and regulations in each country which has ratified these Conventions; and in this way they aim at changing not only legislation but the actual practices as well.

Within the framework of its activities aimed at assisting Member States in the design and implementation of policies and measures that provide effective protection to migrant workers and improve the management of migration flows, particularly in terms of reducing irregularities and integrating established migrants into their host societies, the Migration Programme asked Dr. Jeroen Doomernik to elaborate a methodology by which low- and middle income countries could assess their policies aimed at integrating foreign workers. This exercise departs from the assumption that immigration policies as such already have a number of consequences for the integration potential of migrant workers.

While low- and middle income countries may not be newcomers in importing labour, their immigration policies and, notably, capacities for implementing them, tend to be not very well developed. The same holds true for policy tools for integrating foreign workers into the labour market in ways that satisfy both labour market demands and the needs of foreign workers.

This was recently illustrated in the wake of the economic crisis sweeping through several Asian countries that make extensive use of foreign labour. Countries concerned show, on the one hand, a reluctance to protect the interests of large numbers of migrant workers made redundant as a result of the economic down-turn, while, on the other hand, they are unable to safeguard the interests of those industrial sectors which do remain dependant on foreign workers. Following the analysis provided by Dr. Doomernik, this would appear to be the result of these countries' limited ability to fully implement immigration policies,

compounded by the lack of monitoring facilities by which to establish current and long-term labour market needs.

This paper breaks new ground by proposing concrete, low-cost improvements to countries' statistical data collection mechanisms that would allow them to better evaluate the effectiveness of immigration and integration policies. As such, it spells out the necessary first step for improving the efficacy of both types of policies. It is hoped that the recommendations contained in this paper will help low- and middle income immigration countries to implement migration and integration policies in line with the principles embodied in international labour standards.

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¹1. Introduction

Most of the world's developed economies have had at some stage to import large numbers of foreign workers to fill vacancies due to a growth in manufacturing and a decreasing supply of unskilled national workers. Those countries have gradually moved away from labour-intensive production, partly because of large investments in capital-intensive modes of production and partly because of the offshoring of manufacturing to low- and middle-income countries. This process has been greatly intensified by the growth of economic globalization, making capital more footloose than ever before. As a result, there has been a marked shift in the size and directions of migrant flows, especially where labour migration is concerned.²

Several major labour migration regimes exist. First, there is the unrestricted flow of professionals between North America, the European Union countries, Japan and other highly developed countries, from which unskilled migrants are generally excluded. Second, there are the flows of low-skilled workers between the Indian subcontinent and the Arabian peninsula, and from the Indian subcontinent and South-East Asia to those countries generally known as the "Asian tigers" (Salt 1992). Then there are regimes that have a regional impact: flows between West African countries, from parts of sub-Saharan Africa to the Republic of South Africa, and between some South American countries.

Migration regimes have changed in general terms, migration flows seldom being homogeneous. What may look like the migration of unskilled or semi-skilled workers may actually be a "brain drain" of highly skilled persons who go abroad because they lack opportunities at home, perhaps even accepting employment greatly inferior to their capacities. Furthermore, there are countries that import only very specific types of labour because of a lack of domestic supply, while quite possibly exporting labour that is in excessive supply.

This paper addresses the ways in which a number of middle- and low-income countries deal with migration flows. What are their immigration policies, and what consequences do they have for the integration of foreign workers into their societies? These questions are informed by several notions. First, all States have the right, if not the obligation, to regulate access to their territory in general and to certain societal sectors, where foreigners may compete with nationals, in particular. Second, those immigrants who are granted the right of abode (as well as undocumented ones whose presence is tolerated) become the receiving State's responsibility. Third, they should not be discriminated against, and their human rights must

¹Thanks are due to Ms. Anne-Marije Fontein for her assistance in identifying and collecting a number of data and sources required for the drafting of this report, and for her critical comments on its earlier versions.

² That is, migration encouraged or tolerated by receiving societies. In contrast, most asylum seekers and refugees, and - the most obvious case of all - undocumented immigrants, constitute unsolicited immigration (see Doornik et al. 1997).

be safeguarded. These are general principles laid down in UN and ILO Conventions¹ and are also found in a number of other international agreements. On a more practical note, governments have an interest in promoting equal opportunities, so as to avoid the underutilization and depletion of human capital, to ensure labour market stability, and to underpin a good international reputation (Böhning 1996, p. 57).

In most instances, low- and middle-income countries are relative newcomers among the labour-importing nations and have therefore not yet developed an extensive system for regulating labour immigration. Nor have they used all available tools necessary for integrating foreign workers into the labour market in ways that satisfy both labour market demands and the needs of foreign workers. In addition, more general policies to ensure those workers' integration into society at large are as a rule non-existent.

We intend to present in this paper a methodology by means of which policy makers and others can evaluate the effectiveness of current policies (or those to be designed and implemented in the future) in integrating foreign workers. Full use of this methodology requires a range of data from diverse sources, whose degree of availability varies. This will become evident when the methodology is applied to a sample of labour-importing low- and middle-income countries, especially where the lack of relevant data poses a major problem. We will therefore conclude this paper by proposing a minimum number of data-providing instruments for any government intending to evaluate the effectiveness of its immigration policies in integrating foreign workers.

For our purposes, middle- and low-income labour-importing countries have been divided into three distinct types, each with its own requirements and, therefore, different immigration policies. There are countries with (i) a general immigration regime (Argentina, Côte d'Ivoire and Gabon); (ii) a sector-specific regime (Republic of Korea, Malaysia and South Africa); or (iii) a regime aimed at highly skilled expatriates (Indonesia). The country selection is somewhat arbitrary since it was based mainly on the availability of relevant data as compiled by the International Labour Office for its 1994-1995 Interdepartmental Project on Migrant Workers (ILO 1994).²

It is important to spell out here what we mean by the terms "integration" and "immigration policy". In its broadest definition, integration refers to a situation in which the position of immigrants in society is not significantly different from that of nationals with similar socioeconomic characteristics. However, since a worker's labour market position is at the core of his³ wider integration into society,¹ and since we are dealing here primarily with

¹ Notably the UN's International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and two ILO Conventions: the Migration for Employment Convention (Revised), 1949, (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).

² For example, Senegal and Jamaica could be considered to be appropriate examples of countries with a regime aimed at importing highly skilled expatriates, but virtually no data on their legislation and/or policy implementation could be retrieved.

³ In this paper *worker* and *migrant* are treated as masculine nouns, and the corresponding personal pronouns and possessive pronoun used are therefore *he*, *him* and *his*. Obviously, this bears no relation to the potential or actual share of females in any migrant population.

labour immigrants, it makes sense to look also at a more delineated or narrow definition of integration relating solely to the labour market. In this paper we will employ both the narrow and the broad definition, the former in order to seek policies aimed at a minimal level of integration, and the latter in order to identify attempts to ensure optimal integration, and their outcomes.

Immigration policies are those government interventions that seek to regulate the arrival (and departure) of foreigners, according to their nationality, the purpose of their arrival (work, visit or family reunification, to name the most common ones) and the duration of their stay. Once they are in the country, further interventions are required to regulate whether they are allowed to work, or be otherwise (economically) active, travel, study etc., and to ensure that they conform to the status under which they gained entry. This latter point is a reminder that immigration and integration policies are closely related. Hence, all immigration policies have consequences for the integration of foreigners. This means that even when we study countries that have no explicit integration policies (such as the countries discussed here) we need to look at all government interventions affecting immigrants' position in society.

Lastly, the absence of integration and/or immigration policies and/or their implementation should not be disregarded, because this too has consequences for immigrants' position in the labour market and in relation to nationals.

2. A heuristic model to evaluate the effectiveness of labour immigration policies

Any methodology aimed at providing tools with which to evaluate the effectiveness of labour immigration policies as regards the integration of those persons subject to them should spell out in a meaningful way the processes linking immigration and integration. Those processes can be described and understood only when a minimum number of indicators that can be objectively evaluated are available. Since no such methodology had yet been developed, we had to start our work almost from scratch. The simplest way of designing a suitable evaluation mechanism is to use a heuristic model. Such a model does not pretend to be more than just a tool with which to filter out relevant variables and arrange them in what is likely to be their most significant relationships. In this particular case, we had to choose the highest level of abstraction that could still provide sufficient insight into the processes involved. Choosing a lower level - almost all variables being highly complex in themselves - would have created a model with endless sub-variables and thus made the methodology useless for our purposes. Moreover, it was necessary to try to establish a method requiring as little input as possible, since there is a natural limit to any government's capacity to collect and analyse data for whatever purpose.²

¹ Other commonly used measures of the level of integration are access to the housing market, to the legal system and to the school system (Van Amersfoort 1982; Penninx 1988).

² The highly paradoxical example of the secret police of the former German Democratic Republic is a good case in point. Although it collected incredible amounts of information about society and its citizens, the sheer

It should be made clear at this point that our model is *not* designed with just the position of low- and middle-income countries in mind. Rather, we endeavoured to arrive at a model that

number of facts amassed proved a serious handicap when it came to meaningful analysis and general predictions of future events.

Heuristic model to evaluate the effectiveness of labour immigration policies

Legislation	Implementation	Status of foreign workers	Consequences of legal status (a)	Consequences of legal status (b)	Consequences of legal status (c)	Consequences of legal status (d)	Level of labour market (per sector) integration	Level of general integration (indicators)
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<p>Are there explicit policy statements in immigration law pertaining to foreign workers?¹</p>	<p>Are these statements implemented? Which institutions are involved? Are these of the same opinion? - policies (un)-ambiguous?³</p>	<p>(a) legal⁵ (b) legal residence but no work permit⁶ (c) work permit but no residence status⁷ (d) undocumented⁸</p>	<p>Work/wages: - wage level⁹ - pensions¹⁰ - social security¹¹ - matching skills/job mobility¹² - union rights¹³ - health insurance¹⁴ - training¹⁵ housing¹⁶ residence status: - family reunification¹⁷ - permanence/renewal procedures¹⁸ - voting rights¹⁹ - naturalization²⁰ protection against arbitrary measures: - status²¹ - employment/anti-discrimination²² - social rights²³ - expulsion²⁴ - health insurance²⁵</p>	<p>Work/wages: - wage level⁹ - pensions¹⁰ - social security¹¹ - matching skills/job mobility¹² - union rights¹³ - health insurance¹⁴ - illegal employment tolerated?²⁶ - regularization possible²⁷ housing¹⁶ residence status: - family reunification¹⁷ - permanence/renewal procedures¹⁸ - voting rights¹⁹ - naturalisation²⁰ protection against arbitrary measures: - status²¹ - employment²² - social rights²³ - expulsion²⁴ - health insurance²⁵</p>	<p>Work/wages: - wage level⁹ - pensions¹⁰ - social security¹¹ - matching skills/job mobility¹² - union rights¹³ - health insurance¹⁴ housing¹⁶ protection against arbitrary measures: - employment/anti-discrimination²² - social rights²³ - expulsion²⁴ - health insurance²⁵ residence status (no): - options for legalization (locally or abroad)²⁶ - tolerated²⁷</p>	<p>Work/wages: - wage level⁹ - social security¹¹ - matching skills/job mobility¹² - illegal employment tolerated?²⁶ - regularization possible?²⁷ housing¹⁶ residence status (no): - options for legalization (locally or abroad)²⁶ - tolerated²⁷</p>	<p>Employment conditions: - wages relative to national workers²⁸ - skill level relative to needs²⁹ - contract (yes/no)³⁰ general labour market conditions: - unemployment levels per sector³¹ - wage levels per sector⁹ - presence of foreign labour per sector³² - workforce mobility (turn-over rate) per sector/skill preservation³³ - recruitment efficiency per sector³⁴ - labour market and immigration policy stability³⁵</p>	<p>Housing: - rented³⁶ - owner-occupied³⁷ social/cultural/economic orientation: - investment³⁸ - remittances³⁹ - exercise of voting rights⁴⁰ - union membership⁴¹ - naturalization⁴² - (marriage) partner⁴³ - family reunification⁴⁴ - duration of stay⁴⁵</p>
<p>----- If not, immigration law contains general conditions for admission.²</p>	<p>----- According to whose interests are they implemented: - employers? - national workers? - or are they balanced?⁴</p>							

* the footnotes relating to this model can be found in Annex A

would provide information about the relationship between immigration policies and integration in any labour-importing country whatever its stage of economic development. This was done in order not to preclude the incorporation of any variable just because it might seem unlikely to

be relevant in the context of low- and middle-income countries, or because in all likelihood the relevant data would not be available in the first place. Such problems become manifest only once the model has been put to practical use.

The model's starting point is in the far left-hand column, headed "Legislation". Any legal government action must *by definition* be rooted in legislation, or sanctioned by ministerial decrees, instructions or other types of subordinate and/or interpretive decisions based on legislation.

How labour immigration legislation is implemented forms a set of variables that are set out in the next column. A State may have very explicit laws on paper, but if there is no commitment to act on them, they are of little direct relevance (as opposed to indirect relevance, in which case certain natural or legal persons may well be left without adequate legal protection). Even if the commitment exists, many States cannot make sufficient resources available. They may therefore give higher priority to, for example, law enforcement or have to take into account conflicting claims from bodies involved in the implementation process. This may result in ambiguous policies and practices, which to varying degrees will have consequences for the stability and predictability of the position in which immigrant workers may find themselves.

Deriving from the immigration policies and their implementation are four types of status, any one of which an immigrant may have. They range from fully legal to totally undocumented (and therefore illegal). The next four columns in the model set out the areas in which these are likely to have their most significant consequences, and indicate whether there are possibilities available to the immigrant for improving his position under the law.

The last two columns concern the level of integration: one is based on the narrow definition of integration given above and the other on the broad definition. In the penultimate column, attention is focused on the congruence between labour market needs on the one hand and a satisfactory actual and legal position for the immigrant worker on the other. Optimal integration is achieved when no tension exists between the two. The last column contains a number of indicators that could be used to evaluate foreign workers' - and their dependants' - level of general integration into society. The list provides a simple set of variables that can be measured by using basic statistical data; thus there is no requirement for tailor-made tools or ones specially targeted on a specific population category such as non-national workers. If countries have more elaborate systems for evaluating the position of immigrant and other minority groups,¹ they should obviously be added to the model.

Annex A contains a list of data types and their possible sources that could be used when the model is operationalized. The main sources are labour force surveys, household surveys, population censuses, industrial surveys, administrative registers (register of resident population, register of immigration and emigration) and national banks' balances of payments. Although their exact names, the definitions used and their scope may differ between States, most of these sources are relatively common policy evaluation instruments. Other data sources can be used whenever expedient.

¹ As is the case with a number of European Union countries and traditional immigration countries.

In the next section, we will go through the model step by step in order to determine whether countries such as those selected to represent the three labour-importing regimes have the tools for evaluating the effectiveness of their policies.

2.1. Legislation

All States considered have legislation identifying under what conditions immigration can or should be allowed. Thus, the data sources with which to fill in the first column of our model are available (see, for example, ILO's NATLEX on-line database - <http://www.ilo.org>).

Countries with a general immigration regime are likely to make immigration regulation subsidiary to labour market access; in other words, if the immigrant can be readily integrated into the labour market (on his own initiative, at the invitation of an employer or through the mediation of an agent) provisions exist for granting an immigration permit. If, as in the case of Gabon, this principle is reversed and a residence permit has to be obtained before a labour contract can be concluded, considerable bureaucratic effort is required, and can be foreseen to have repercussions on the efficiency of labour recruitment and particularly labour market integration. Only when a State is willing and able to enforce legal requirements can both workers and employers be expected to abide by the rules. Because of the high costs involved, however, States may not be able to do so to the extent necessary. As we will see in the next section with regard to the countries considered, this tends to create a climate in which illegal employment and undocumented residence are likely consequences. But this is not to deny that other States, regardless of their economic development, may be confronted with a situation in which workers (not excluding nationals) are illegally employed and foreigners are undocumented. To a greater or lesser extent, there is always a "grey" area where irregular labour demand and supply meet. This area is generally smaller and less important whenever governments have efficient control over labour markets, and its size and importance are much less the outcome of immigration regulation *per se* (Doomernik et al. 1997; Van Amersfoort 1998).¹

Countries with a sector-specific labour immigration regime could be expected either to have a number of specific provisions in their immigration legislation, or to draft legislation in general terms and spell out the relevant provisions in the implementation phase. In all such countries examined here, as well as Indonesia, the latter type of regulation is common practice (and is thus dealt with in the next section).

2.2. Implementation

¹ Even a country such as Japan, with borders that are in principle relatively easy to police, has illegal residents and workers (Harris 1995, pp. 52-53). The United States Government, to give one more example, relies heavily on border control, but shows considerable reluctance to address the issue of labour market control and is thus confronted with an annual influx of approximately 275,000 illegal workers (*San Diego Union-Tribune*, 2 November 1997, from CISNEWS@cis.org).

In so far as the implementation of immigration law is unequivocal and all relevant texts have been published, this stage in the evaluation process poses few problems. In a number of instances, however, this is only partly true. A great deal of discretion may be granted to government or subgovernment committees that assess eligibility regarding immigrant workers and employers, and take into account labour market needs. This is not the only problem, since it is conceivable that for arbitrary reasons, e.g. the lobbying power of employers (or sectoral organizations), the needs of certain labour market segments may be met whereas other segments are left to rely on national workers. Also, there may be conflicting interests regarding labour imports between different government ministries or departments; for example, the Employment Ministry may wish to achieve full employment for the indigenous population, whereas the Department of Industry's priority is economic growth. This could easily lead to a lack of policy implementation¹ or to policies that are ambivalent and confusing to both (potential) immigrants and the indigenous population.² For our purpose, disentangling those interests and their legal status poses a number of problems. The availability of data necessary for a full evaluation of the implementation column in our model is therefore difficult to assess. Consequently, we will restrict ourselves to presenting an overview of current policies and their implementation based on (semi-) public secondary sources.

In our sample, countries with a general immigration regime differ in the implementation of their legislation in several respects. However, their governments have all delegated labour immigration control to a specific agency or committee with a considerable degree of autonomy, and they are all fairly lax in combatting undocumented immigration and employment. Some receiving governments may require employers to pay fees and levies for the recruitment of foreign labour, and demand that immigrants pay considerable deposits on entering the country or taking up employment. These payments should encourage employers to try to recruit nationals, and should ensure that foreign workers return to their country of origin after their contract or residence permit has expired. They provide little incentive for foreign workers and for employers to go through legal channels, and thus make illegal residence and work a viable option. However, even where such regulations do not exist, this does not necessarily mean that undocumented labour immigration does not occur. It can be caused by the functioning of the labour market and by the way governments implement their policies.

In the labour market, where workers and employers bargain for maximum profit, relations are often not equal. Employers may prefer undocumented workers because (i) by hiring them they can avoid taxation and other labour-related costs; and (ii) undocumented workers have a

¹ See the United States example in the previous footnote.

² Böhning (1996, p. 87) convincingly argues that immigration policies should be as transparent as possible in order to make it clear to *all* actors involved which interests are served by importing labour.

much weaker bargaining position, and their services may thus be had at a cheaper price, for more hours per week and on a flexible basis. Workers themselves may prefer to be undocumented, because they may be able to enter the labour market whenever they require income (instead of going through time-consuming procedures and running the risk of not receiving the permit desired), move from workplace to workplace without applying for permission, and avoid income tax.

A number of factors may hamper the consistent and general implementation of immigration policies. In the large and sparsely populated territories considered here, economies function to a significant extent according to informal principles, which makes it difficult to ensure that all workers and employers abide by the rules. Also, resources made available to law enforcement agencies are meagre and/or tend to be deployed for more urgent tasks. Furthermore, some immigration authorities are not sufficiently well equipped and/or staffed to deal with and exercise control over regular immigration procedures. This indicates that governments are often not too concerned about illegal employment or undocumented foreigners. But they need to become more concerned about the presence of foreigners when there is increasing competition for scarce resources between them and the indigenous population. However, where economies are largely informal and no comprehensive social security systems have been developed which would absorb a considerable amount of public resources, unregulated flows of labour may seem to do the national economy more good than harm.

In Gabon, immigrants from neighbouring States, who account for the largest category of foreign workers, are mainly employed in the informal economy, where they find niches for themselves in ethnically demarcated sectors. Legal labour immigration is contingent upon securing a residence permit before entering the country and before accepting a work contract. A request for the employment of a foreign worker has to be processed by the Service des Travailleurs Immigrés and approved by the Commission Nationale pour l'Admission à l'Emploi de la Main d'Oeuvre Etrangère au Gabon. Within three months of arrival the worker needs to obtain a residence card. The efficiency of these procedures is hard to assess, but the reportedly large number of undocumented foreigners suggests that they may not fully achieve their aim. Visa-free travel is possible for citizens of nearly all (UDEAC)¹ neighbouring countries, and this makes undocumented entry and residence relatively easy.

Similarly, in Côte d'Ivoire, the modern economy absorbs few foreigners; instead, they are more or less equally engaged in agriculture and the urban informal economy. Recruitment of foreign workers needs the approval of the Ministry of Labour. By far the largest numbers of foreign workers are reportedly undocumented and come from neighbouring (ECOWAS)² countries, citizens of which can enter the country without a visa.

¹ Union douanière et économique de l'Afrique centrale.

² Economic Community of West African States.

As in Gabon and Côte d'Ivoire, the bulk of Argentina's immigrants come from neighbouring States whose citizens do not require a visa. By and large, they too find employment in the unregulated sectors of the economy, and are undocumented. Legal labour immigration requires a work contract to be arranged in advance, and employers have to provide housing. There are also immigration provisions for businessmen, the highly skilled and others whose presence is approved by the Ministry of the Interior. The implementation of these rules is unclear.

Those countries with a sector-specific immigration regime have also delegated most of their immigration policy implementation to government or related bodies. Since these policies are often aimed at filling clearly identifiable sector-specific vacancies - which frequently means that immigrants can enter the country only to take up a specific job with a specific employer - the close involvement of employers and their organizations, or the existence of mechanisms to monitor their needs, is a basic requirement. All countries considered here have such mechanisms, but their efficiency varies. At times, bureaucratic procedures cause considerable delays in recruitment. Typically, countries with a sector-specific labour immigration policy require employers to try to fill vacancies first and foremost with nationals. Assessing whether this is possible takes up varying amounts of time. The most efficient mechanisms are those that accord employers a large degree of autonomy in recruiting foreigners, for example in those cases where there is an established practice of employing foreign workers because it is already known that needs cannot be met adequately, and for the wages that an employer is willing to pay, from within the national labour force. Foreign workers may be employed within the context of bilateral agreements between sending and receiving States, which may function alongside but independently of more general assessment procedures. In South Africa, for example, mining companies can, subject to certain restrictions regarding contract duration, recruit workers from neighbouring States (Task Team on International Migration 1997, p. 20). About 80 per cent of documented labour migration is related to the mining sector (Stalker 1994, p. 236). Recruitment for other sectors is carried out by an Immigrant Selection Board (under the Ministry of Home Affairs). Because employers requiring foreign workers have to pay a contract fee (the equivalent of approximately \$400) for a six-month term of employment, and because workers frequently have no desire to stay for such a period, or not with the same employer, illegal employment is a common alternative (Hart 1996, p. 29). It is estimated that at least 100,000 undocumented farm workers from Mozambique alone are employed in South Africa (Stalker 1994, p. 236).

Malaysia is a less clear-cut example of a country with a sector-specific labour immigration regime, since there have been labour imports in many of the main economic sectors. One feature is the fluctuating extent to which the needs in certain sectors of the labour market can be met. This is because, over relatively brief periods of time, recruitment for a particular sector may be allowed and then prohibited shortly afterwards. A good example of this practice is the ban on recruitment of Filipino domestic workers, followed by its lifting, in the second half of 1997 (*Migration News*, Vol. 4, No. 10, 1997).

Since 1994, when the Malaysian Government introduced a one-stop body the Special Task Force for Foreign Labour Committee has been responsible for foreign labour recruitment. In 1995, it banned the involvement of agencies other than for recruiting domestic servants and shop assistants. Other important sectors in which foreigners find employment are rubber, palm oil, tin and timber plantations (*Migration News*, Vol. 4, No. 11, 1997). The Government

hopes to promote mechanization in those sectors in order to reduce the country's dependence on foreign workers (*ibid.*).

Currently, labour demands cannot be met from within the national workforce. It is difficult to assess whether this is a direct consequence of ambivalent government policies on the recruitment of foreign labour, insufficient processing capacities within the Special Task Force or mainly the desire of employers to pay lower wages. However, the number of undocumented foreign workers in Malaysia appears to be considerable. From time to time, the Malaysian Government tries to reduce the numbers of such workers (the most recent attempt was in the second half of 1996), to legalize the status of a number of them, and to incarcerate those who do not qualify for legalization, subsequently deporting them. The costs of deportation have to be borne by the workers concerned (*Migration News*, Vol. 4, No. 2, 1997).

In the Republic of Korea, up until early 1998, foreign workers could be recruited - mainly for the manufacturing sector - through the Korean Federation of Small Businesses. The number of foreign workers could not exceed a fixed percentage of the total workforce per firm, with a maximum of 20 such workers. Since then, two more organizations have been allowed to mediate between the needs of companies and the supply of foreign workers. However, because government ministries have different views about the desirability of importing foreign labour, legal recruitment is restricted to "trainees", whose work permit has a limited duration and remuneration is comparatively poor. This policy has drawbacks both for employers, who cannot recruit enough workers, and for the foreign workers, who may not qualify for recruitment or who may find wages too low. As a result, the country has its share of undocumented foreign workers, estimated to number 130,000 (*Migration News*, Vol. 4, No. 12, 1997). To reduce their number, the Government plans to ban further "trainee" immigration schemes, and at the same time to regularize undocumented workers, albeit by means of temporary repatriation (*ibid.*). The provisions under which they will subsequently be employed are currently unknown.

In some States, work permits are subject to taxation or levies, or have other financial consequences for employers or workers. This either makes (and is often intended to make) foreign labour more expensive for employers or imposes certain conditions on employees, such as the compulsory transfer abroad of a percentage of earnings. Such conditions encourage illegal employment, since it is in neither the employers' nor the workers' interest to go through formal recruitment channels. When work permits are valid only for a short period - and especially when coupled with the need to return home to renew them - workers are tempted to arrive or stay on illegally. Illegal employment is also encouraged when employers are unable to recruit workers, or when procedures are inadequate or too slow.

Much like countries with a general labour immigration regime, those with a sector-specific policy have sizeable but unknown numbers of undocumented workers. Any evaluation of policy implementation should therefore take into account the fact that, by and large, it can pertain only to a limited number of foreign workers: those who have arrived and who are employed through, or in line with, official policies. Data on such workers pose no serious problems. Data on partly or wholly undocumented foreign workers will be dealt with when the next column of the model is discussed.

In countries that seek to recruit only highly skilled workers, frequently for multinational companies or joint ventures, the presence of such workers is likely to impede the upward mobility of skilled nationals. However, when companies rely heavily on foreign capital, governments cannot deny those who supply the capital, or their chosen representatives, control over investment and company policies. Consequently, such economies cannot hope to do without expatriate workers, at least not for the medium term and until enough nationals with equal skill levels are available.

In the case of Indonesia, it is clear that government policies are aimed at striking a balance between the need for foreign workers and the desire to increase the level of reliance on skilled nationals. In essence, the implementation of these policies, which is in the hands of the Director General of Immigration (delegated by the Minister of Manpower, Transmigration and Cooperatives), means granting work permits to expatriates, provided that their employers commit themselves to “on the job training” efforts for local workers. In due course, the latter should be equipped to take over the foreigners’ jobs. As long as the Director General sees fit, these permits may be extended from year to year.

Expatriate workers in Indonesia are subject to several special taxes. They are required to pay a monthly levy of \$100 on their income (to subsidize the training of local workers) and pay five times the usual municipal tax if they live in Jakarta (*Migration News*, Vol. 4, No. 1, 1997). Although such measures could discourage workers from taking up employment in Indonesia, or be an incentive to circumvent the rules for regular employment, wage levels are generally high enough to compensate for these burdens. Although it is reported to exist, illegal employment of expatriates is therefore unlikely to be a major phenomenon. Since the implementation of Indonesian policies is transparent, relatively unequivocal and concentrated in one institution, data on which to base an evaluation would have the same characteristics.

2.3. Status of foreign workers

A distinction frequently made in discussing immigrant labour is the one between legality and illegality, which is much less clear-cut than it may seem. An immigrant may have (i) both a work and a residence permit; (ii) (temporary) residence status but no work permit (e.g. a person with a status dependent on a migrant who has a work permit, a student or a tourist); (iii) a work permit but no residence status; and (iv) no status whatsoever, and hence be described as an undocumented alien. For immigrants who participate in the labour market of a receiving country each of these four statuses has its particular consequences.

To evaluate the presence of immigrants with any of these statuses, a number of data are required. Obviously, data on documented immigrants are much easier to collect than data on undocumented ones. Being “documented” implies that a government body has registered and endorsed the presence of a particular alien. But this does not necessarily mean that those data are brought together in a single system or that, even when they are, they can be retrieved and analysed. At the other extreme, “undocumented” implies that no track can be kept of persons with that status. But that also is not necessarily true. It may be relatively well known what part of the labour force in a particular sector is employed illegally. Where a State has almost impermeable borders and a visa-bound immigration regime, and maintains a complete

register of entries and exits, it is possible to establish fairly accurately how many persons reside in its territory without permission (often persons overstaying their visa).

Low- and even middle-income countries are typically faced with more problems than high-income countries when it comes to public finances. As mentioned above, important though widely varying parts of their economies are informal, and this makes taxation to fund the State's budget problematic. Even a comprehensive tax regime yields only a limited percentage of a nation's gross domestic product. Public spending has certain priorities, such as national defence, law enforcement, education, central government and other core functions; and population and migration surveys and statistics tend not to be high on the list of priorities. The permanent monitoring of population developments through the centralized collection of administrative registry data or other sources, requiring elaborate computer systems and staffing, is costly. Population censuses, and household and other sample surveys, are a suitable alternative. In some countries, however, not even those are carried out, whereas in others they are outdated because they are infrequent. Furthermore, rural areas are notoriously difficult to cover comprehensively, a fact which tends to make data biased towards urban centres.

The general-regime immigration countries in our sample lack comprehensive administrative data collection systems. As a consequence, they have few direct means of accurately determining the numbers of immigrants present on their territory at any one time.¹ As indicated above, an alternative method of obtaining reliable figures is to use labour force and household surveys and population censuses. These, however, do not necessarily include items relating to migration, e.g. place of birth, former place(s) of residence and date of departure, and (former) nationality. Adding questions beyond the precise scope of a comprehensive survey tends to incur considerable extra costs by lengthening interviews and, especially, requiring additional computing time and/or equipment. As a result, such items may be left out.

Every ten years, Argentina conducts a national population and housing census to determine the characteristics of the entire resident population (sex, age, occupation, educational level, employment status, and industry). The census includes questions on current and former (during the previous five years) places of residence, and citizenship (ILO 1996b, p. 57). Until 1980, the permanent household survey (Encuesta Permanente de Hogares), which is not geographically comprehensive (being confined to Greater Buenos Aires and 27 other urban centres) and not based on a representative sample, included items on migration. However, because of budgetary constraints, these were omitted the following year and not included again until 1993 (Awad 1994a, p. 14). Owing to the survey's urban bias, seasonal migration for agricultural work is unlikely to be covered, and this could be true of other economic sectors as well.

¹ It should be pointed out, however, that even countries such as the Netherlands and Germany which have an detailed population register still need to accept a considerable margin in establishing the actual numbers of resident aliens. For example, in 1993 the Netherlands statistical services estimated that about -20 per cent in administrative corrections was needed to arrive at a correct annual net immigration rate (Muus 1994, p. 17).

Gabon has no central administrative register of national or foreign residents. In principle, the immigration procedures for foreign workers should be handled by the Direction de la Main d'Oeuvre et de l'Emploi, but its meagre staffing and insufficient facilities prevent it from functioning optimally. Consequently, many immigrants are unknown to it, and those who are known, are not necessarily traceable from its files (Awad 1994b, p. 10). Data from border control agencies are not likely to provide reliable alternative data. The country has long borders through sparsely populated areas and ethnic communities often straddle either side of them, both factors making the adequate policing of borders difficult if not impossible.

Since 1945, Gabon has had two population censuses (in 1981 and 1993). In addition to items on population structure, employment, education, occupation and industry, the second one included items on immigration (ILO 1996a, p. 28): duration of residence, previous residence, reason for changing residence, place of birth, and ethnicity/nationality (Awad 1994b, p. 7). Although such a census should be able to provide accurate data, reports suggest a serious under-recording of immigrants, many of whom do not have permission to live in Gabon and are therefore reluctant to provide the required information (*ibid.*). It is hard to envisage surveys without such problems, as illegal immigrants have little to gain from taking part in them. Other surveys likely to yield data on immigration, such as a labour force survey, are not common in Gabon, at least not at national level. For Libreville an Enquête Emploi et Chômage, including a question on nationality, was held in 1994 and is planned to be repeated annually (ILO 1996b, p. 65). An older survey provided data on the nationality of household heads among the populations of Libreville, Port-Gentil and Moanda (*op. cit.*, p. 67).

Like Gabon, Côte d'Ivoire possesses no central administrative population register, and has borders that are hard to police. To determine the characteristics of the country's population, Côte d'Ivoire has conducted two population censuses (in 1975 and 1988). These revealed that foreign residents accounted for 22 and 28 per cent of the population, respectively (Awad 1995a, p. 4). In 1993, a migration survey was conducted. Using the same software and basic questionnaires, it was conducted in eight countries in the region: Burkina Faso, Côte d'Ivoire, Guinea, Mali, Mauritania, Niger, Nigeria and Senegal (Awad 1995a). The survey in Côte d'Ivoire was based on a sample of 13,200 households taken from the 1988 census. Whether the data have been processed and/or have become available is unclear (ILO 1996b, p. 59). Such a survey could provide very relevant data for evaluating the status of foreign workers in Côte d'Ivoire.

Countries with a sector-specific labour immigration regime tend to collect labour-market-related data and population figures on a more regular basis than those with a general regime. Labour force and population censuses are a common feature of the three States with sector-specific regimes considered here (ILO 1990, 1995, 1996a). However, according to our sources, they do not generally address migration-related topics. Only Malaysia occasionally adds items on migration to its labour force survey (ILO 1990, p. 199): citizenship and place of usual residence (currently and one year previously) (Awad 1995b, p. 5). It is reported that serious undercounting, especially of undocumented aliens, should be expected (*ibid.*). Therefore, the accuracy of a recent estimate by the Ministry of International Trade and

Industry is unclear; it put the number of undocumented foreigners in Malaysia at 800,000 out of a total of 2 million foreign workers (*Migration News*, Vol. 4, No. 12, 1997).¹

Data sources on the entire foreign labour force other than surveys are difficult to envisage. For example, the long borders between Thailand and Indonesia (Borneo), running through sparsely populated and forested areas, render border controls relatively useless, and as a consequence, agencies carrying out controls are not a suitable source of data on legal or illegal immigration into Malaysia. The only further indication about the numbers of undocumented workers comes from occasional rallies at which they are invited to come forward in order to be regularized (or deported), the latter possibility making it unlikely that all, or even a majority of, undocumented immigrants will respond. The numbers of immigrants who arrive legally are the only non-survey source providing reliable figures. All recruited immigrants are handled by the Special Task Force for Foreign Labour Committee and duly registered (Pillai and Yusof 1996), and their numbers are published by the Immigration Department (Awad 1995b, p. 5).

Because of the country's geographical isolation, unchecked border crossings into the Republic of Korea are virtually impossible. The border authorities and others mandated to issue visas and control entry keep records of all entries and exits, which are published in the Annual Immigration Statistics (ILO 1996b, p. 72) and by the Ministry of Justice (*Asian and Pacific Migration Journal*, Vol. 4, No. 4, 1995, pp. 579-584). It is fairly well known how many persons overstay their visa. The 1992 (wholly amended) Exit and Entry Control Act suggests² that illegal residence and employment are simultaneous: no illegal resident is allowed to take up employment, and illegal employment invalidates a non-working-based residence status. All documented foreign workers arriving in the context of the Republic of Korea's sector-specific (small manufacturing) regime are registered by the Korea International Training Cooperation Corps (KITCO), and their numbers are therefore known (Park 1995).

Like Malaysia, South Africa has long borders with several neighbouring States, all of which have lower average wage levels. This makes labour migration, regular or undocumented, a widespread phenomenon. Undocumented labour has in all likelihood increased since the end of the apartheid regime, when strict border control enforcement was still a priority issue (Hart 1996). Although the numbers of persons who overstay their visa are known, this is of little relevance for two related reasons. First, persons who overstay could have left the country without passing through regular border checks. Second, they may have subsequently returned, together with unknown numbers of other immigrants (Task Team on International Migration 1997). No reliable figures on undocumented immigrants are therefore available. In contrast, data are obtainable on the numbers of documented migrant workers in the mining industry, but it is not known how recent they are (De Vletter 1993). General figures on the

¹ Other estimates range from 1 million to 1.5 million undocumented foreign workers (Stalker 1994, p. 266).

² Further specific legislation may be set out in a Presidential Decree, but it is not known whether any such Decrees have ever been issued.

numbers of foreign workers may be available through the country's labour force survey and population census, but our sources provide no indication about the extent to which this may be the case (ILO 1996a, b).

Indonesia, a country with an expatriate-oriented immigration regime, conducts a population census every ten years, the most recent of which was in 1990 (ILO 1996a, p. 36). It includes foreign residents, but according to our source it does not distinguish them as such. The quarterly National Labour Force Survey, however, specifically excludes foreigners (ILO 1990, p. 153). By comparing the two data sets it would be possible to establish some characteristics of the foreign population, but it seems doubtful whether these would be very reliable, since the population census is infrequent and the labour force survey is based on a sample. Accurate data on legal immigration are available through DEPNAKER (Departemen Tenaga Kerja - the Department of Manpower), which keeps track of the entry and exit of foreign workers and temporary workers subject to issuance of a permit (ILO 1996b, p. 68). Illegal residence and illegal employment among the highly skilled are in all likelihood not as common as in a number of cases mentioned earlier, but they do exist (Hugo 1993, p. 14). As a consequence of Indonesian legislation, both are probably complementary; relevant data, however, are not known to exist.

2.4. Consequences of legal statuses (a), (b), (c) and (d)

2.4.1. Data on work and wages

Where foreign workers can enter the labour market under normal legal conditions, they are generally entitled to the same wages and other benefits as national workers. However, as already mentioned, they sometimes have to pay additional taxes; to forgo part of their income, which is made not payable until they return home; or to make down payments to ensure their timely departure. Even if workers do not in the end suffer a financial loss, these requirements are nevertheless discriminatory.

More explicit discrimination, clearly to the disadvantage of immigrant workers, occurs when low wages are part and parcel of the immigrant's legal status. A case in point is the "trainee" status, mentioned earlier, which is accorded to foreign workers in the Republic of Korea. Their wages are little over half of those paid to equally skilled local workers (Park 1995, p. 8). Since unskilled foreign workers can enter the labour market only with this status, they have no bargaining power as regards their employers. Where discriminatory practices are based on legal provisions, collecting and evaluating the appropriate data poses no problem. This is not so, however, in the case of illegal employment.

Workers' lack of bargaining power is even more obvious when they are not legally employed. Because of the nature of such employment, determining the scope of the phenomenon or the wage levels involved is bound to be problematic. Only a labour force survey covering all workers or specially targeted research (e.g. sample surveys) could shed sufficient light on this matter.

An important variable is whether a worker can find employment commensurate with his skills and expectations. This is particularly relevant when immigration takes place under a general immigration regime, since other regimes generally tie the employee to one specific job and employer.

Furthermore, the foreign worker may or may not benefit from wages and working conditions collectively agreed between employers and trade unions. Indicators for assessing this may be found in labour force surveys, possibly linked to industrial (sample) surveys or other sources (see Annex A).

2.4.2. Data on housing

The availability and type of housing are an important indicator of the quality of life. In countries with a general immigration regime, it is likely that immigrants by and large are responsible for their own housing. This is not so where labour is recruited to fulfil specific labour market needs, especially temporary ones. Legal recruitment of foreign workers may require employers to provide housing for them. It is important to ascertain whether employers comply with this requirement and, if so, whether the quality of the accommodation is adequate.

Although, as indicated in Annex A, a housing survey or perhaps an extended population census could provide data on the housing situation of foreign workers and their dependants, both in absolute terms and relative to the situation of indigenous workers, we do not currently know whether such surveys are conducted. Nor do we know whether alternative sources for housing data are available.

2.4.3. Data on residence status

Data on the residence status of foreign workers are relevant in two ways. First, they enable us to ascertain how secure the immigrant's residence status is, the rights it confers, and under what conditions it can be renewed (or revoked). Second, we can ascertain under what conditions a residence status that it is no longer valid or is illegal can be legalized. This information pertains not only to the migrant worker himself but also to his dependants, since receiving States do not automatically grant a residence permit to the latter.

A distinction should be made between the rights of foreign workers and the extent to which they can be exercised. For example, the right to be joined by dependants is not to be confused with the actual level of family reunification, a variable that will be dealt with in the section on broader integration issues. Although legislation is commonly available, it is not clear in all cases under which specific provision labour immigration can take place, and what legal status results from it. Indonesia, for example, has specific visa regulations for expatriate workers but also grants discretionary powers to the Director General of Immigration to permit immigration in relation to "other matters beneficial to national development and other matters related to humanity" (Government Regulation No. 32/1994, Article 24). However, a comprehensive right to family reunification is not explicitly granted. While the rules allow for the immigration of wives to join their husbands, they make no explicit provision for husbands to join their wives. Article 24, partly quoted above, may well cover part of

expatriate immigration and/or of the immigration of dependants, but our sources do not provide any details. It does show, however, that immigration regulations - for most States have provisions like the Indonesian Article 24 - are frequently not as unambiguous as they may seem. In addition, States may have clear regulations, but they are not necessarily implemented or cannot be invoked by immigrants. Bureaucratic obstacles, understaffed agencies and other factors may seriously hamper migrants' ability to claim the legal protection to which they should in principle have access. This emphasizes once more the relevance - for policy evaluation purposes - of empirical data on the actual legal position of immigrant workers (and their dependants).

We have already seen that, except possibly in the Republic of Korea, the absolute and relative numbers of immigrant workers in the countries studied here cannot be accurately established from current data sources. This does not preclude, however, the possibility of obtaining data on their qualitative position, e.g. regarding housing. Government agencies may have detailed information at their disposal, as may trade unions and other non-governmental organizations (see Annex A).

2.4.4. Other rights and protection against arbitrary measures

In most instances, legally employed and/or resident immigrant workers enjoy equal rights with national workers regarding, for example, social security benefits, pensions, disability payments and trade union membership. However, in the Republic Korea, only in 1998 will "trainees" be allowed to join trade unions and be fully entitled to social security benefits (after two years' employment) (*Migration News*, Vol.4, No. 4, 1997). In Malaysia, foreign workers are not allowed to join unions at all (*Migration News*, Vol. 4, No. 1, 1997). Sometimes even illegal workers have certain rights; for example, in the Republic of Korea undocumented workers have been entitled to industrial accident insurance since 1994.¹ However, rights to social protection and social benefits are in most cases closely linked to the immigrant's residence status. This may have a number of consequences. For example, in Gabon, where employment is a prerequisite for a residence permit, if a foreign worker loses his job through illness or dismissal he risks forfeiting his permit. Once he has been deported, he cannot enjoy the benefits to which he should be entitled on the basis of his rights as a (former) employee (Awad 1994b).

Once again, data necessary for evaluating the position of immigrants should not be sought only in legislation but also from the ways in which that legislation is implemented. And once again, even though the necessary qualitative data may exist and be available to anyone knowing where to look for them, we do not know whether this is so in any of the three types of immigration countries considered here. We can only provide a tentative list of data types and sources that could help the evaluation process (see Annex A).

2.5. Level of labour market integration in each sector

¹ We have no information about whether this provision will again be abolished when the two-year waiting period for "trainees" is introduced in 1998.

None of the countries with a general immigration regime reportedly conducts regular labour force surveys or employs other comprehensive means to ascertain wage levels, or the precise position of nationals and foreigners in the labour market. For several reasons mentioned previously, including budgetary constraints, this is understandable. However, all States with sizeable immigrant populations have a substantial interest in gathering data on the presence of those populations and its consequences, if only to gauge the impact on their national economies. The experience of several immigration countries (e.g. the United States and Germany) shows that this impact is considerable and economically beneficial.¹ Even though the alleged negative macroeconomic effects of immigration appear never to have been convincingly argued (Harris 1995, p. 194), it seems safe to assume that immigrants are more easily and rapidly integrated if there is a match between labour market requirements and immigrants' skills (Borjas 1994). In that case, there are particularly good reasons to believe that immigrant labour is not, or is not to any great extent, a threat to the indigenous labour force. The niches where immigrants usually find employment complement by and large those where nationals are active; and this minimizes competition within the labour force that could possibly harm the latter's interests (Harris 1995, pp. 193-202). Whatever the consequences of labour immigration, governments have an obvious interest in finding out more about them. As a result of the information gathered, they will be able to decide whether to maintain, improve or otherwise change present immigration practice, or to introduce labour market and general integration policies to remedy temporary mismatches and thus increase even further the economic benefits of immigration.

Broad data should be available from the answers to the relevant questions in population censuses. With some exceptions, however, this information does not make it possible to assess the position of foreign workers relative to that of national workers. Evaluating the match between labour market needs and immigrants' skills is especially problematic.

Labour market data are more commonly available in countries with a sector-specific immigration regime. However, as mentioned earlier, it is generally not possible to evaluate the position of immigrant workers in terms of skills and wages, or working conditions, relative to the indigenous workforce. Nevertheless, regular and well-established labour force and industrial surveys should make it possible to introduce additional variables by which to assess the position of immigrant workers and the need for them in (specific sectors of) the labour market.

In South Africa, a labour force survey (ILO 1996) and surveys of all economic sectors (ILO 1995, pp. 184-190) are a common feature. In Malaysia, surveys of the manufacturing industries (ILO 1995, pp. 139-141) and the mining sector (op. cit., pp. 441-443) are regularly conducted. For its part, the Republic of Korea carries out surveys of the main economic sectors (mining and manufacturing) (ILO 1995, pp.128-130) and labour costs (op.cit., p. 130), and the economically active population (currently excluding foreign workers) (ILO 1990, p. 184). In addition, research on foreign workers has been carried out by the Korean

¹ See, for example, Gieseck et al. 1995.

Labour Institute (KLI) and the International Labour Office (ILO) to assess the demand for labour, and to ascertain wage levels (Abella and Park 1994; Park 1995).

Tables 1 to 4 (for all tables see Annex B) provide an illustration of the data supplied by a survey.

Table 1, containing data from the Ministry of Labour of the Republic of Korea and from the KLI/ILO survey, gives a good indication of the country's growing labour market shortages. Between 1985 and 1993 the total labour shortage ratio (unfilled vacancies/current employees) increased from 1.8 to 9.2. The ratio for unskilled labour rose from 4.9 to 16.8 (peaking in 1991 at 20.1) and for production workers from 2.4 to 12.2.

Table 2 provides data on the relative numbers of foreign workers, and wage differentials between them and national workers in each industrial sector and in relation to the size of the employing firms. It shows that comparative wage levels are slightly less than half (48 per cent) of those of national workers in smaller firms (less than 30 workers) and nearly two-thirds in larger firms (100 to 199 employees: 64 per cent; 200 employees and more: 63 per cent). Medium-sized firms on average pay their foreign employees 59 per cent of the wages that nationals would receive. The table also shows that it is the smaller firms that employ the largest numbers of foreigners (22.6 per cent of their labour force), whereas the largest firms have relatively few foreigners (4.3 per cent). Per sector wage differentials vary significantly, ranging from 42 per cent in the heat treatment industry to 93 per cent in metal fabrication. Interestingly, few or no foreign workers appear to earn more than comparable national workers. This in all likelihood is because wages are not negotiated under free labour market conditions but are instead contingent on "trainee" status.

Table 3 illustrates this latter point even more clearly. It again gives the average monthly wages of national and foreign workers, but this time differentiates between legal workers ("trainees") and undocumented ones. Although the latter will not usually have a very good bargaining position in relation to their employers, market forces play a role (the extent of which depends on the available numbers of undocumented workers in relation to labour market demands). Male undocumented workers earn on average 13 per cent more, and female workers earn 20 per cent more, than "trainees". The table also shows the average length of employment, which is considerably longer for undocumented workers, especially among females (9.4 months as against 25.5 months). This too is a likely result of not following the legal labour immigration provisions, whereby the foreigner's duration of employment is limited.

Lastly, table 4 lists the problems which employers encounter in recruiting workers. Two of these are by far the most important: the work is too demanding to be attractive to national workers (cited by 64-65 per cent of all firms), and the wages are too low. The latter problem increases with the size of the firm (from 9 per cent of small firms to 20 per cent of firms with 200 employees or more).

Indonesia conducts an annual survey of industry, covering all large firms (more than 100 employees) and medium-sized ones (between 20 and 99 employees) (ILO 1995, pp. 107-108). It specifically addresses wage levels and other forms of remuneration, by industrial

sector and size of firm. It is likely that most, if not all, expatriate workers will be employed by medium-sized or large firms, but since no item is included on nationality or other significant migration-related issues, they are not separately traceable. This, however, should be possible to remedy by adding such items to the survey's future editions. The same can be said about the quarterly National Labour Force Survey, which currently excludes foreign workers (ILO 1990, p. 153).

2.6. Level of general immigrant integration

Although labour market integration is particularly important with regard to immigrants' position in a receiving society, it is only the beginning of a more complete integration process. Integration also relates to housing, education and the legal system. A number of questions arise. Do immigrants have access to housing of a quality similar to that enjoyed by national workers with comparable wage levels? Do they have access to training programmes and their children to schooling? And do they have equal rights to establish themselves, perhaps in the long run being able to become citizens of the receiving State? For evaluation purposes, examination of legislation and its implementation is necessary but not sufficient. We therefore give below basic indicators for measuring immigrants' behaviour in relation to the host society, which is often in reaction to government interventions or a lack of them.

Important indicators are found in investment patterns. Do immigrants save most of their earnings in order to invest in their country of origin, or use their money to support dependants back home? Or do they (increasingly) invest in their country of residence, e.g. buying property or establishing a business?

Other indicators are the extent to which family reunification takes place, the duration of immigrants' stay, rates of participation in institutions such as trade unions and (when the law permits) in political parties, the exercise of any voting rights, and the naturalization rate.

With regard to investment behaviour, national bank audits should provide some information about the amounts of money flowing between sending and receiving societies. However, substantial amounts of money and - even more difficult to trace - consumer and other goods may be taken out of a country unnoticed or at least unquantified. As far as investments in the country of settlement are concerned, foreigners' purchases of real estate should be the easiest to trace, because in principle - and to make them legally binding - they are documented in the land registry. Ownership of a legally acquired or established business should be documented by the Chamber of Commerce. Nevertheless, because not all business activities or land transactions are necessarily formalized, it may be difficult to distinguish between actual investment levels and what is officially registered.

Provided that some type of comprehensive registry for documented immigration exists, family reunification and duration of stay are two sets of data that should be relatively easy to retrieve. Such registration systems, however, do not usually exist; even when they do, their accuracy cannot be guaranteed. Moreover, since many immigrants are undocumented, either to circumvent the rules or because documented immigration is hard or impossible to achieve, such databases as exist permit only a partial evaluation of the facts.

Population censuses and surveys can provide information about general integration issues. The Canadian population census is a good case in point (for a facsimile of the 1996 census questionnaire see <http://www.canstat.ca>). Since Canada is a major immigration country, its Government recognizes the need to keep a close eye on the position of newcomers and nationals alike. To that end, the law requires a census to be held every five years. Each household receives by mail an elaborate census form which includes items on employment/occupation, income, housing (e.g. the number of bedrooms in relation to the number of household members, and housing costs), duration of residence, ethnicity and education. The completed forms are returned by mail to the census authorities.

Censuses are conducted differently in the United States. To ensure that completed forms are returned and to cover persons without a permanent address, censuses are conducted in person, all persons in all occupied areas being enumerated. Censuses are taken every ten years.

Measuring the level of general integration does not always require the availability of large quantitative data sets. Relatively small sets are acceptable, provided that they are sufficiently representative (e.g. they have been obtained on the basis of a population census). Especially suitable are panel surveys, where the same set of persons (in our case, foreigners and nationals) is polled with a certain frequency.¹ These samples may be fairly large (as in the examples given in the footnote) to ensure a high level of representativity, and frequently polled. However, they may still be very informative when relatively small sets of respondents are maintained and when polling is infrequent, e.g. on an annual basis.

Still less complicated to maintain and possibly less costly are qualitative data gathered from already available secondary sources. In addition, interviews with experts involved in immigration issues (from relevant ministries and their agencies, and non-governmental organizations), employers' organizations, trade unions, housing agencies, political parties, immigrant organizations and the like can shed considerable light on the particular situation of immigrants and immigrant communities within society at large.

3. The way ahead

¹ For example, the annual German socioeconomic panel (13,500 respondents in 7,000 households, amounting to approximately 0.00016 per cent of the entire population) run since 1984 by the Deutsche Institut für Wirtschaftsforschung (DIW) in Berlin. There is also the United States monthly Survey of Income and Program Participation (SIPP) covering 20,000 households divided into four panels so that each is surveyed three times a year. They remain on the panel for a period of three years. Another rotating survey is the United States Current Population Survey (CPS), held every month, where households are polled for four consecutive months followed by an eight-month interval. As the sample is divided into eight groups, there is a considerable overlap which ensures a continuous data flow. The total number of participating households is around 50,000, selected from 2,007 geographically determined sample units. The sampling ratio per unit ranges from 1:100 to 1:3,000 households. For more details on these United States surveys see <http://www.census.gov>.

Our brief review of the immigration policies of a number of low- and middle-income countries reveals that, to a greater or lesser extent, they are only partly effective. Most of these countries have considerable numbers of undocumented workers, whose presence clearly indicates that there are mismatches between labour market supply and demand. It would be shortsighted, however, to conclude that receiving States should allow labour imports indiscriminately or seek to legalize the status of all foreign workers in order to satisfy employers' needs. Such a move might have unforeseen consequences for both the local and foreign labour force if it is not accompanied by regulations protecting the rights of all workers. In other words, States are probably well advised to strengthen labour market control policies - in terms of fair wage levels for all workers, protection, anti-discrimination and permits - instead of focusing on immigration policies and control issues as such. These should provide a suitable legal framework within which foreign workers can find an appropriate and unambiguous legal position and the necessary protection.

Data collection mechanisms should be geared to evaluating the effectiveness of both types of policies, i.e. immigration and integration policies. This is especially relevant in those cases where labour market performance is the fundamental reason for labour immigration policies, i.e. in countries with a sector-specific or an expatriate labour immigration regime. In a number of instances, those policies are clearly aimed at satisfying short- or medium-term labour market needs, and immigrants are not supposed to settle for periods exceeding those of the needs. It may therefore seem sufficient to monitor labour market integration without paying much attention to integration as more broadly defined. However, this narrow scope is open to question. It has often happened in the past that immigration programmes were initiated to satisfy temporary needs, which proved not to be as short-lived as it was originally thought they would be. Moreover, immigrants develop over time relationships with their host society, and unless governments truly wish to keep immigration programmes short-term and succeed in doing so, this creates considerable humanitarian obligations towards these immigrants (see Böhning 1995). This is particularly true when labour immigration is considered to be a more or less permanent feature of a society, as in most or all countries with a general immigration regime.

We would therefore like to suggest that all States with immigration regimes, even when these are mainly aimed at temporary employment, should have an interest in monitoring the integration (both broadly and narrowly defined) of foreign workers. This requires the use of a minimum set of instruments. We will first deal briefly with those that generate enough information for evaluating labour market integration. Then, we will suggest some methods for enlarging those instruments in order to evaluate general immigrant integration.

3.1. Instruments generating information to evaluate labour market integration

To evaluate the labour market integration of foreign workers, it is necessary to ascertain how many of them are employed, their skill levels, their rates of job (upward) mobility, their terms of employment, their wages, and in which sectors of the economy they are found. Furthermore, it should be established where demand for labour cannot be adequately met, either from the local workforce or through current labour immigration procedures.

Wage differentials between nationals and immigrants with similar skills are a key variable in which some of the answers to the above questions can be found. Examined over time, they

make clear how immigrants fare in the labour market. One example taken from the United States - an immigration country par excellence - may help to illustrate this and may also point to some crucial elements that should be taken into account in assessing data on wage differentials.

On the basis of United States statistics and previous research, Borjas (1994) shows that when governments want to measure the impact of immigration on their economies and the ensuing wage differentials between immigrants and nationals, it is essential to maintain a long-term perspective. Immigrants may very well initially earn considerably less than nationals, but over time may equal or even surpass those earnings, without harming the overall economy or posing a challenge to the wages of national workers. However, subsequent waves of immigrants may exhibit characteristics (in terms of human capital or ambitions) less propitious for rapid integration. It is therefore in a government's interest to permanently monitor the labour market career of the various categories of immigrants in order to alter recruitment patterns, introduce additional policy measures strengthening the integration process, or protect national workers. Monitoring long-term effects of immigration requires the establishment of cohorts, i.e. specific categories of immigrants according to their arrival date (and hence the amount of time they have been active in the labour market) and categories of nationals from the time they entered the labour market, in order to be able to make meaningful comparisons between them, regarding for example wage differentials. Other relevant factors, such as the labour market segment where workers find employment, should also be taken into account when making comparisons. This is because mere comparison of the average wage levels of nationals with the average earnings of immigrants provides by itself little if any insight into their relative labour market position.

Labour force surveys are the most convenient and cost-effective source of data regarding the position of foreigners in the labour market. They cover (or should cover) a number of basic items, such as the labour market segment in which a person is employed; nationality (country of birth); wage level; duration of stay (date of settlement)/length of total employment; and educational level. Since these surveys are based on relatively small samples and foreign workers may constitute only a small and not randomly dispersed category within the entire labour force, the proportion of foreigners in a sample could be increased above their actual relative share. Alternatively, a sample could be specifically targeted at foreign workers. It should then be ensured, however, that its findings are congruent with those from the general labour force survey.

With regard to labour market needs, industrial surveys like those already common in some of the countries we have examined could provide valuable data. They should address the numbers and types of vacancies, required skill levels, available wage levels, and the expected duration of labour needs. Both industrial surveys and labour force surveys should be as comprehensive as possible, and sufficiently frequent. The agencies conducting them should have sufficient, well-trained staff and enough computing power.

¹3.2. Methods to enlarge instruments

To evaluate the general integration of foreign workers, it is necessary to have up-to-date information about the number of resident foreigners, their gender, nationality, demographic characteristics, and length of residence. However, as we have seen, most low- and middle-income countries do not have the capacity to maintain comprehensive administrative registers of foreign and national residents. Population censuses are a suitable alternative, but they are usually not held more than once every decade. The costs involved are likely to be an important reason for their infrequency. As we have also seen, they tend in a number of cases to suffer from underreporting due to geographical constraints (large and not easily accessible areas with sparse populations) and the unwillingness of immigrants, especially undocumented ones, to participate. To remedy this problem, increased efforts should be made to reach all parts of the country and to reduce the intervals between each census-taking. In addition, a very clear assurance should be given that all data will be kept confidential, and this assurance should be well publicized. Increasing the frequency of census-taking is likely to be most difficult of all, if only because the costs involved will be high. Alternatively, intermediate smaller sample surveys could be based on census data, targeting categories of persons and/or specific geographically defined areas (e.g. where large parts of the foreign population are known to reside), in order to identify any major population changes.

Questions about the housing situation, discriminatory practices, and membership of institutions such as trade unions and other voluntary organizations (and other items in so far as they cannot be covered by labour market integration surveys) could be included in censuses and intermediate sample surveys. If for reasons of funding this is not feasible, panel-based surveys are a good or even equivalent alternative. Maintaining a regular sample of respondents (for instance, a sample of about 1 in 10,000 with a minimum of 1,000 persons) has the advantage of enabling the identification and evaluation of general processes at work within a certain population. On the other hand, equally valid conclusions based on surveys involving varying sets of respondents (even when randomly picked) require considerably larger numbers of interviews because the ranges of discrepancies have to be levelled out during data-processing procedures. Obviously, such a methodology requires that respondents - and this is especially relevant in the case of immigrants - be more or less permanent residents. Furthermore, measures should be taken to ensure respondents' continued cooperation, even when they change their place of residence within the country. High turnover rates among panel members seriously undermine the validity of the findings. One possibility is to reward respondents in kind or with money for their participation (perhaps progressively over time) and for informing the research team of any change of address.

In contrast, qualitative data about immigrant populations should be easier to gather. To that end, less representative data sources could be tapped into that could still provide some guidance for governments aiming to improve or consolidate the position of foreigners under their jurisdiction. This could be done by means of small-scale data-collecting methods,

¹ Here we restrict ourselves to some general remarks. Many valuable and more detailed suggestions on census and survey methodology, including model household, individual and community-level questionnaires, can be found in Bilsborrow et al. 1997.

exploration of secondary data sources and expert interviews. Agencies similar to government statistical data collection agencies could be created in order to collect, analyse and disseminate such data. Once again, adequate staffing and reporting facilities should be made available.

4. Conclusions

At present, low- and middle-income labour-importing countries have limited capabilities for evaluating the effectiveness of their immigration policies. To bring them up to the level common in advanced economies requires considerable effort in terms of skills and financial resources. However, as we have shown above, limited yet valuable mechanisms are most certainly within the reach of most States seeking to evaluate their immigration policies. Those States especially that have significant numbers of undocumented foreign workers could greatly benefit from the establishment of some form of monitoring capacity, since it would enable them to realign their policies with national interests in general and the needs of the labour market in particular.

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Annex A

Data types and sources:

- 1, 2. All legislation pertaining to, or having an effect on, the entry, exit and residence of labour immigrants.
- 3, 4. Qualitative data from diverse sources, including administrative documents from ministries or non-governmental bodies (e.g. employers and unions) involved.
5. Absolute numbers, age (labour force/non-labour force), gender and nationality of legally residing foreign residents from registry offices, the Justice Department, the Ministry of the Interior or the national statistical office.
6. As for 5 (size of labour force), minus those persons with a work permit (see 7).
7. Absolute numbers, age, gender and nationality of foreigners with a work permit from central or regional labour offices, or labour exchange.
8. Absolute numbers, age (labour force/non-labour force), gender and nationality of foreigners without valid documentation. Estimates based on labour force survey, population survey and numbers of apprehended undocumented foreigners; or on registered numbers of visa overstayers from border law-enforcement agencies and/or Ministries of Justice and/or the Interior.
9. Wages per labour market sector - averages and absolutes - per function for foreigners. Possibly from labour force survey, population survey or industry/workforce surveys.
10. Data on pension rights from legislation/legal sources (e.g. Pension Act). Data on pension contributions, pension levels and actual payments from pension funds.
11. Data on social security eligibility from legislation/legal sources (e.g. Social Security Act). Data on social security payments and levels from appropriate ministry or its agencies.
12. Quantitative data on skill levels among foreigners from labour force survey; actual function type from labour force survey, labour exchange or employers (individual or organizations); data on job mobility from labour exchange, employers (individual or organizations) or unions.
13. Data on union rights from legislation/legal sources. Data on actual participation rates (foreigners/nationals) from unions.
14. Data on health insurance eligibility, coverage and provisions from legal sources and insurance companies/appropriate government body; data on claims on and extent of medical services among foreign and national workers from insurers.
15. Data on training provisions from employers (or their organizations) or other providers; data on frequency of use of provisions among foreigners and nationals from labour force survey, unions, employers or other training providers.
16. Quantitative data on housing (number of residents per unit, square metre per resident, quality of housing and prices) from housing survey or additional items in population census.
17. Qualitative data on provisions for family reunification.
18. Quantitative data from residence permit issuing agency/agencies on types of permit (conditions for and duration of validity).
19. Legal data on (conditions for) voting rights for foreigners.
20. Legal provisions for naturalization.
21. Qualitative data on the practice of granting a particular type of residence status as compared with the legal provisions for granting it/the legal recourse a migrant has against arbitrary refusal of the status requested.
22. Qualitative data on job security, equal pay and working conditions as laid down in legislation, compared with actual practice, and quantitative data on frequency of discriminatory actions. Data from anti-discrimination board, unions or other informed sources.
23. Qualitative data on legal provisions for exercising of social rights (to organize, freedom of speech, freedom of movement), as compared with any infringements of these. Data from anti-discrimination board, unions or other informed sources.

24. As for 21, plus qualitative data on numbers of expulsions, grounds, especially in relation to his or her residence status (or lack thereof), and the nationality of the migrants involved. Data from the Ministry of the Interior, anti-discrimination board or other informed sources.
25. As for 14, compared with qualitative and quantitative data on instances where migrants are refused health insurance or denied coverage of a legitimate claim. Data from anti-discrimination board, or unions and other informed sources.
26. Legal provisions for legalization. Where provisions exist: quantitative data on numbers of legalizations, types and purposes of status granted, abroad and at home, from Ministry of the Interior, Ministry of Foreign Affairs or Ministry of Labour (or their representatives abroad).
27. Qualitative data on government policies regarding undocumented foreigners, priority and level of control enforcement. Data from the Ministry of the Interior, law enforcement agencies, secondary data or informed non-governmental sources. Quantitative data on numbers of undocumented foreigners (as for 8).
28. As for 9, plus comparative data on national labour force.
29. As for 12, plus comparative data on national labour force.
30. Quantitative data on percentage of national and foreign workers with a work contract. Qualitative data on the provisions of contracts. Data from the Ministry of Labour, unions or employers (organizations).
31. Quantitative data on employment/unemployment levels per sector among foreign and national workers from the Ministry of Labour or the agency responsible for unemployment/social security benefits.
32. Qualitative data on numbers of foreign workers per sector from Ministry of Labour, employers (organizations) or unions.
33. Qualitative data on (average) duration of employment of foreign and national workers, and on next position compared with skill levels (as for 12). Data from the Ministry of Labour, employers (organizations) or unions.
34. Number of vacancies per sector, average duration of vacancies, and the average amount of time between recruitment attempt and actual employment of foreign worker. All quantitative data from the Ministry of Labour, immigration authorities and employers (organizations).
35. The rate at which legislation and policies pertaining to labour immigration and the integration of foreign workers changes. Qualitative data from a range of sources (first and foremost, ministries involved), including secondary sources.
36. As for 16. Data on the percentage of immigrants who rent their accommodation, possibly with nationality and employment.
37. As 16. Number of owner occupiers among immigrants, further as 36.
38. Quantitative data on capital/earnings spent and invested in country of residence, from national banking authority. Or qualitative data from Chambers of Commerce and Department of Trade and Industry on foreign participation in domestic firms.
39. Quantitative data on capital flows between country of residence and country of origin, from national banking authority.
40. Quantitative data on the rate of foreigners' participation in elections, from Ministry of the Interior (or from the ministry responsible for organizing elections).
41. Quantitative data on union membership by nationality, from unions.
42. Naturalization rates among categories (nationality) of foreign nationals, from the Ministry of the Interior or Justice Department.
43. Rates of exogamy/endogamy per nationality, from population statistics or registry offices.
44. Quantitative data on numbers of immigrants, gender, age, and type of residence permit from integrated migration statistics, from visa and/or residence permit issuing agency/agencies.
45. See 44; specific data on date of arrival/settlement.

Annex B

Table 1. Measures of labour shortage: Surveys by Ministry of Labour (1989-1992) and ILO/KLI survey (1993)

	Min. of Labour survey				ILO/KLI survey
	1985	1990	1991	1992	1993
<i>By type of workers</i>					
Total employees	1.8	4.3	5.5	5.7	9.2
Office workers	0.9	1.3	1.3	1.7	2.1
Production	2.4	6.9	9.1	8.0	12.2
Skilled	2.0	5.3	7.3		9.5
Unskilled	4.9	16.2	20.1		16.8
<i>By size of firm</i>					
Less than 30				9.5	21.1
30 - 99				7.3	12.1
100- 199				6.5 ^a	7.8
200 or more				3.3 ^b	4.7
Labour shortage ratio = unfilled vacancies/current employees. Sources: For 1985 to 1991, see table 3.8 in Soo-Bong Uh, "Employment structure" in Young-bum Park (ed.) <i>Labor in Korea</i> , Korea Labor Institute, Seoul, 1993; the ILO/KLI survey for 1993 data. ^a For firms with 100 to 299 workers; ^b For firms with 300 to 499 workers. Source: Abella; Park (1994), table 1.					

Table 2. Foreign workers in total workforce (in per cent) and wage differentials between foreign and national workers, by size of firm and industry (wages in Korean won)

	Per cent	Wage of foreign workers	Wage of national workers	Ratio foreign to national
<i>Size of firm</i>				
Less than 30	22.6	327 800	686 170	0.48
30 to 99	9.0	373 000	635 100	0.59
100 to 199	7.2	390 430	606 740	0.64
200 and over	4.3	368 000	584 790	0.63
<i>Industry</i>				
Cast iron	5.4	433 330	719 760	0.60
Forging	4.4	442 000	758 750	0.56
Heat treatment	10.2	298 130	695 770	0.42
Gold coating	11.5	345 380	607 090	0.57
Dyeing and finishing	9.4	385 000	646 630	0.60
Machinery	8.6	380 000	645 380	0.59
Electrical machinery	5.2	314 330	594 870	0.53
Electronics	6.8	313 330	520 720	0.60
Footwear	6.7	360 000	740 550	0.49
Leather goods	7.9	443 670	601 080	0.74
Glass	5.6	-	-	0.63
Textile	3.4	-	-	-
Metal fabrication	13.5	420 000	608 220	0.93
Coating with paint	16.7	-	-	-
Wage of foreign workers = wage of male foreign trainees. Wage of national workers = wage of male high-school graduate for entry-level work in production activities. Source: Abella; Park (1994), table 4.				

**Table 3. Comparative wages, hours worked and length of employment
of Korean and foreign workers**

	Monthly wage (thousand won)	Additional labour cost ^a	Working hours (weekly)	Length of employment (in months)
<i>Korean</i>				
Male	646 127 ^b		55.3 ^c	
Female	513 556 ^b		54.1 ^c	
<i>Foreign workers</i>				
Male trainees	371 520	126 550	56.6	10.0

Female trainees	336 875	148 750	55.0	9.4
<i>Undocumented</i>				
Male	420 470	125 940	58.1	13.8
Female	406 660	74 830	56.4	25.5

^a Usually comprises cost of food and lodging.

^b Includes all allowances and bonuses.

^c Averages for production and related workers (1992), Ministry of Labor.

Source: Abella; Park (1994), table 5.

Table 4. Cited causes of labour shortage, by size of firm (per cent of firms)

	All reasons	Work too demanding	Wages too low	Few trained workers	Prefer large firms	High turnover	Working conditions	Information
<i>By size of firm</i>								
Less than 30 workers	100	65	9	6	9	9	3	0
30 to 99	100	65	11	10	6	4	4	0
100 to 199	100	64	10	13	5	2	6	0
200 and over	100	65	20	10	0	0	5	0

Source: Abella; Park (1994), table 2.

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