

## **A conversation with Dr. Martin Ruhs on April 23, 2014**

### **Participants**

- Dr. Martin Ruhs – Associate Professor of Political Economy and Senior Researcher at the Centre on Migration, Policy, and Society (COMPAS), Oxford University. His website is: [www.priceofrights.com](http://www.priceofrights.com).
- Alexander Berger – Senior Research Analyst, GiveWell

**Note:** These notes were compiled by GiveWell and give an overview of the major points made by Dr. Ruhs.

### **Summary**

GiveWell spoke with Dr. Martin Ruhs about advocacy for low-skill migration, the tension between migrant rights and migration rates and how different organizations approach this trade-off, the development of a migrant rights database, and ideas for further research.

### **Advocacy for low-skill migration**

Migration policy is primarily set by receiving countries, which tend to focus on the costs and benefits to their citizens in making decisions. Important questions to answer in making the case for low-skill migration include:

- In which sectors and occupations are there low-skill labour shortages and what is the cause of the labour shortage? Could the shortage be solved by an increase in wages (to increase the supply of labour) or mechanization? Are there cases where greater low-skill migration would be more beneficial than an increase in wages or mechanization?
- How would the welfare state in each country be affected by greater low-skill migration? Will migrants cost the state more money than they contribute? How much access to welfare benefits should be granted to migrants?

A policy that is successful in liberalizing migration but is costly for the citizens or government of the receiving country may create a backlash and be unsustainable. It is important to understand the interests involved and what reactions different policy options could lead to.

In the U.S., there has been long-term paralysis on the migration issue. Dr. Ruhs suspects that the levers that could bring about migration reform in the U.S. are quite different from the levers in other countries.

### **Debating the trade-off between migrants rights and migration rates**

High-income countries' labour immigration policies for admitting lower-skilled migrants are characterized by a tension between 'access' and 'rights': Greater equality of rights for

new migrant workers tends to be associated with more restrictive admission policies, especially for admitting lower-skilled workers from poorer countries. The tension between “access and rights” applies to a few specific rights that are perceived to be costly for the receiving countries. The right of lower-skilled migrants to access certain welfare services and benefits is particularly affected.

In academic circles and within the U.S. this trade-off is relatively uncontroversial, but it is rarely discussed by international organizations. Dr. Ruhs supports some temporary restrictions on access to some rights (such as unemployment and social housing benefits), which would generally lead receiving countries to allow more migrants, but he believes migrants should eventually have access to all the rights of citizens. He understands the position of those who consider any rights restrictions to be unethical – but he argues that a temporary restrictions of a few selected migrant rights are a price worth paying for more opportunities for workers in poor countries to access the labour markets of rich countries.

In the U.S., the current practice is to limit migrants' access to the welfare state until they become permanent residents.

Dr. Ruhs believes that it would be beneficial to have organizations that work on migration issues debate the trade-off between migrant rights and migration rates. This trade-off is ignored in most international discussions. There is a concern that discussing a trade-off between rights and migration rates would lead to a slippery slope towards highly restricted rights, especially because there are examples of countries that severely restrict migrant rights (e.g. Singapore and the Gulf States). Organizations take different approaches to this trade-off. Specifically:

- *Migrants rights groups*: Organizations like the International Labour Organization (ILO) and the Office of the High Commissioner for Human Rights (OHCHR) are primarily concerned with protecting the rights of migrants. They are reluctant to acknowledge any trade-off between increased migration and increased rights. When they do acknowledge the tension, these organizations advocate for equal rights protections at the cost of decreased migration.
- *International development organizations*: Organizations like the World Bank and the United Nations Development Programme (UNDP) have been encouraging more migration and are less committed to maintaining equal rights for migrants. The World Bank has published several papers arguing for the benefits of increased low-skill migration.
- *International Organization for Migration (IOM)*: The IOM is better placed than the ILO to have a debate about balancing the different elements of the migrant rights issue. The IOM is not a UN organization, though it is UN-affiliated. Because of this position, the IOM does not have a strong normative mandate to protect the human rights of migrants and it is sometimes criticized for being too closely aligned with the interests of nation-states. However, because of its position, the IOM may be a more effective advocate for politically-feasible migration policy changes.

## **Influence of international organizations on the policies of receiving countries**

Compared to international trade and capital flows, the global governance structures for migration are very limited. Nation-states are very reluctant to cede control of migration policy to international organizations. There are many organizations that work with low- and middle-income countries to help them develop their migration policies, but it is difficult to influence high-income countries.

International organizations could do more to establish norms on what rights migrant workers should have. The 1990 *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* is the main treaty for migrant rights, but it is the least ratified of all the human rights treaties. The treaty is useful because it sets an ideal, but it has not had a big impact on migration policy in practice. International organizations might be more likely to influence policy by developing of a shorter list of basic rights that focuses on key issues while being more acceptable to receiving nations.

### **Migrant rights database**

There are a number of organizations that measure human rights around the world. There is no formalized measurement of migrant rights, and this is an obstacle to analysis of the migration issue and to better protections for migrants.

Dr. Ruhs has proposed a comprehensive database that measures the rights of migrants around the world. This database could track the rights of different types of migrants (labourers, families, students, asylum seekers, refugees, etc.), and could measure rights by law and actual practice, in various countries over time. This information could be used to develop an array of useful tools for both researchers and advocates, including an annual report on the state of migrant rights worldwide.

A database like this is difficult to fund because it is a global public good. For his book, *The Price of Rights: Regulating International Labor Migration*, Dr. Ruhs created an index of migrant rights in several countries with the help of Oxford research assistants. A better approach would be to develop a standard list of indicators and employ country experts to score each indicator and provide evidence for their ratings. This approach would be much more expensive, because it would be necessary to pay an expert in each country to spend at least a few days each year collecting and analyzing country data and to organize meetings to bring the experts together.

It has been difficult to find funding for this project. International organizations are reluctant to fund any project that ranks or rates their member states. With migration, countries do not want to be ranked as the most restrictive (either in terms of admitting migrants or granting them rights) or as the most liberal. Governments are concerned that political opposition groups might use these rankings in political disputes to discredit them.

## Further research

More research is needed on:

- The policy-making processes of different countries. There are some common factors between nation-states, but there are also important country differences. In-depth case studies of policy processes are quite important, though hard to do. In the field of political science, this sort of case study is called an “inside the state” study. One example, from the U.S., is Dr. Kitty Calavita's book *Inside the State: The Bracero Program, Immigration, and the I.N.S.*
- What improvements could be made to existing temporary worker programs? Small-scale policy interventions could make a big difference.
- How does the recruitment industry work? Why do these arrangements exist and who is benefiting from the current policy structure? How competitive is the industry? Why are recruitment costs so high and who pays them?
- Why do employers attempt to hold their employees' passports (especially in the Middle East) and what could be done to change practices like this?
- How do migrants conceive of migration and migration policy? How do migrants feel about the tension between rights and opportunities to emigrate and work in higher-income countries?

## Other people to talk to

- Philip Martin, Professor of Agricultural & Resource Economics and Chair of the Comparative Immigration & Integration Program, UC Davis.

All GiveWell conversations are available at <http://www.givewell.org/conversations/>