

Nicole de Moor\*

## Labour Migration for Vulnerable Communities:

### A Strategy to Adapt to a Changing Environment

Paper presented at the ESF-UniBi-ZiF research conference on  
'Environmental Change and Migration: From Vulnerabilities to Capabilities',  
Bad Salzflen, Germany, December 5-9, 2010

COMCAD Arbeitspapiere - Working Papers  
No. 101, 2011

Series on Environmental Degradation and Migration  
Editors: Jeanette Schade and Thomas Faist

## Editorial

The conference “Environmental Change and Migration: From Vulnerabilities to Capabilities” was the first of a new conference series on “Environmental Degradation, Conflict and Forced Migration”. It was organised by the European Science Foundation, the Bielefeld University and its Center for Interdisciplinary Research. The Center on Migration, Citizenship and Development (COMCAD), the Universities’ unit responsible for scientific content and quality of the conference, has launched a COMCAD Working Paper Series on “Environmental Degradation and Migration”. The new series intends to give conference participants the opportunity to share their research with an even broader audience.

The symposium focused on how environmental change impacts the nexus between vulnerabilities on the one hand and capabilities on the other hand, and how this relationship affects mobility patterns. Although the conference organizers chose to include all kinds of environmental change and types of migration, climate change figured prominently among the submissions to the conference. Therefore, the conference aimed to bring together the perspectives from climate change, vulnerability, and migration studies, and to draw conclusions about the political implications of the knowledge scientists currently have available. Toward that goal, the conference was structured along three pillars. The first concentrated on climate change and the vulnerability of certain regions and groups. It covered case studies as well as different approaches for making climate change projections and assessing the likelihood of vulnerability. The second pillar focused on empirical research on environmentally induced migration from a vulnerabilities perspective, but acknowledged the occasionally strong elements of capability within it. In this way, the aim was to learn about approaches and options to support existing capabilities. The third pillar was concerned with the opportunities and pitfalls of policy options in dealing with the future challenge of climate induced displacement, and with the analysis of dominant public discourses within the field.

The researchers invited represented a wide range of disciplines, including sociology, social anthropology, migration, conflict, gender and development studies, geography, political science, international law, and climate and environmental science. The conference was also well balanced in terms of geographic origin, gender, and academic status of the participants. The conference programme and full report can be found at [www.esf.org/conferences/10328](http://www.esf.org/conferences/10328).

de Moor, Nicole: Labour Migration for Vulnerable Communities: A Strategy to Adapt to a Changing Environment  
Bielefeld: COMCAD, 2011  
(General Editor: Thomas Faist, Working Papers – Center on Migration, Citizenship and Development;101)

The COMCAD Working Paper Series is intended to aid the rapid distribution of work in progress, research findings and special lectures by researchers and associates of COMCAD. Papers aim to stimulate discussion among the worldwide community of scholars, policymakers and practitioners. They are distributed free of charge in PDF format via the COMCAD website.

The COMCAD Working Papers is a work-in-progress online series. Each paper receives only limited review. The opinions expressed in the papers are solely those of the author/s who retain the copyright. Comments on individual Working Papers are welcomed, and should be directed to the author/s.

University of Bielefeld  
Center on Migration, Citizenship and Development (COMCAD)  
Postfach 100131  
D-33501 Bielefeld  
Homepage: <http://www.comcad-bielefeld.de>

## Abstract

The interconnection between migration and development is rising on global, regional and national agendas. This paper will look into labour migration as a possible strategy to adapt to a changing environment, and to increase resilience of disaster-affected populations. According to the UN Human Development Report, international migration can contribute greatly to human welfare and development. The phenomenon of climate change, which now poses new challenges to both migration and development, asks for a comprehensive adaptation strategy to help and protect vulnerable populations. Facilitating legal migration for vulnerable communities affected by environmental disruptions, is both a way to prevent forced displacement, and to reduce the vulnerability of the population. Through a case study of the Colombian Temporary and Circular Labour Migration Scheme (TCLM), this paper analyses how international migration could be facilitated for disaster-affected communities. Through this innovative migration model, Colombians facing recurring natural disasters are offered a livelihood alternative through temporary work abroad, while affected regions can recuperate. By supporting migrants in maximizing the impact of remittances on the recovery of their place of origin, the TCLM programme increases their resilience to environmental disruptions. This paper aims to contribute to the discussion on the nexus between migration, development and adaptation to environmental degradation. It illustrates how a European Member State can offer environmentally vulnerable people a livelihood alternative, by enabling them to temporarily migrate overseas. The focus of this paper is on the legal framework supporting the TCLM programme, and on the legal conditions for its consolidation and replication in other EU Member States. Best practices of migration programmes for vulnerable communities could lead to appropriate policy recommendations, or could even serve as an example for the elaboration of environmental migration programmes in the European Union.

## Table of Contents

1. Introduction	6
2. Adaptation to Environmental Changes through Migration	7
2.1. International Migration as an Adaptation Strategy	7
2.2. Maximum Merits, Minimum Costs	9
2.3. A Place for Migration in the UNFCCC Framework?	10
3. Case Study: Temporary and Circular Labour Migration between Colombia and Spain	12
3.1. Circular Mobility for Environmentally-affected Communities	13
3.2. Win-Win-Win Outcome for Development and Adaptation	13
3.3. Legal Framework Supporting Circular Migration	15
3.3.1. Bilateral Agreement between Spain and Colombia	15
3.3.2. Spanish Migration Legislation	15
3.4. Conditions for Replication of the TCLM Programme	16
4. Tools to Facilitate ‘Environmental’ Migration	16
4.1. National Adaptation Programmes of Action (NAPAs)	17
4.2. Legal Framework for Labour Migration	17
4.2.1. Migration Management Linked to Development and Adaptation	18
4.2.2. EU Mobility Partnerships: a Tool for Coherent Policymaking?	18
5. Conclusion and Policy Recommendations	19
References	21

## 1. Introduction

Environmental degradation, caused by climate change and the loss of biodiversity, is increasingly recognised as a push factor in the migration debate. Where vulnerability to environmental disruptions is high, and socio-economic opportunities are low, migration is used as a coping strategy for vulnerable communities, trying to adapt to a changing environment. Even though the debate on environmental migration emerged more than twenty-five years ago, the international community has failed to recognize migration as a strategy of livelihood diversification and resilience building. Most scholarly articles and reports focused on the negative consequences of environmental degradation for human mobility, namely the forced displacement of people, and lack of protection mechanisms for environmentally-displaced people. However, there is now an increasing acknowledgement that migration can have positive effects on individuals, households and communities affected by environmental degradation. The issue has even made it into the climate negotiations on a new adaptation framework. Yet the migration law and policy of most developed countries has not been adapted to this change of reasoning. As most environmental mobility is expected to occur between developing countries, there has been no incentive for developed countries to adapt their immigration legislation, and to develop a pro-active strategy linking migration with development and adaptation (Laczko 2010; Martin 2009).

This paper will look into international labour migration as a possible strategy to adapt to a changing environment, and to increase resilience of disaster-affected populations. Facilitating legal labour migration for vulnerable communities is both a way to prevent forced displacement, and to reduce vulnerability to environmental disruptions. The first Chapter documents the benefits and costs of migration as an adaptation and development strategy, and frames the issue within the current climate negotiations. Through a case study of the Colombian Temporary and Circular Labour Migration Scheme (TCLM), Chapter II illustrates how a European Member State can offer disaster-affected communities a livelihood alternative through temporary work abroad, and addresses some of the associated legal and policy challenges. Finally, Chapter III highlights some possible tools for the establishment of effective migration programmes for environmentally-affected and vulnerable communities. The conclusions will be formulated in the form of concrete recommendations for policymakers on how to facilitate migration as an adaptation strategy.

## 2. Adaptation to Environmental Changes through Migration

### *2.1. International Migration as an Adaptation Strategy*

Climate change, the loss of biodiversity and other environmental disruptions have severe effects on people's livelihoods. In particular those communities who rely on ecosystem services for their livelihood are most vulnerable to the degradation of the environment (Barnett and Webber 2009). For those regions where climate change mitigation measures are too little and come too late, people will have to adapt to a degrading environment. 'Adaptation' is defined as 'initiatives and measures to reduce the vulnerability of natural and human systems against actual or expected climate change effects' (IPCC 2007). Where people are able to adapt, they might be able to remain in their environment. Where adaptation fails, people might be forced to leave their traditional habitat. However, there is now a growing recognition that migration itself might be one of the possible strategies to adapt to a changing environment.

Whether or not people opt for migration, is depended on their resilience to the environmental changes they are affected by, namely their ability to cope with environmental degradation. This is for a large part determined by the availability of alternative livelihoods (Martin 2010). In this sense, income diversification through labour migration can act as an adaptive response to environmental stressors. By earning a livelihood abroad, international migration can reduce the vulnerability of individuals, households and communities to environmental risks, and increase their resilience (Barnett and Webber 2009; Laczko 2010, Tacoli 2009). Adaptation thus involves both measures to reduce a population's vulnerability, so as to prevent them from having to migrate, and migration itself as an adaptation strategy that allows people to reduce their vulnerability (Martin 2010).

The benefits of migration for both adaptation and development are many-fold: Firstly, the money transferred by foreign workers to their native countries ('remittances') plays a vital role in the economic welfare of their families and communities of origin. Remittances can contribute to financing innovation, in particular in the agricultural sector of areas affected by environmental degradation. Furthermore, this income diversification can provide families with a livelihood alternative when they are struck by natural disasters (Tacoli 2009). In this sense, migration of one or more members of the household, can help the rest of the family to increase their resilience to environmental disruptions (Barnett and Webber 2009). The impact of remittances on development and adaptation to climate change should not be underestimated, as their volume has proved to be double the volume of Official Development Assistance (Barnett and Webber 2009). Aside from being transactions between individual migrants

and their families, it has also supported entire communities of origin, supporting public infrastructure and funding education.

Furthermore, it has been proved that migration caused by environmental degradation will mostly be internal, or across borders of neighbouring countries. In other words, environmental migrants often end up in places which are also under environmental pressure, or social and political threats. By targeting international, long-distance, migration programmes to vulnerable communities affected by environmental disasters, the most vulnerable persons could be enabled to leave their destructed environment, temporarily or permanently (Boncour 2009). Facilitating legal migration for environmental reasons, is moreover a way to prevent forced displacement, and the suffering it generates (Barnett and Webber 2009). If environmental migration is managed effectively, humanitarian crises could be minimized, and conflicts avoided.

Migration out of areas affected by recurring natural disasters, reduces the amount of individuals exposed to the disaster, and provides the area with an income stream that usually increases after a disaster has occurred (Barnett and Webber 2009; Laczko and Collett 2005). The diasporas also act as a shelter network in case of disaster-induced temporary displacement (Barnett and Webber 2009). Finally, it has even been argued that migration out of environmentally-vulnerable regions is a way to relieve pressure on those areas, as it reduces the demands on resources. Migration might even help to slow down the process of environmental degradation, and allow those left behind to adapt their livelihood provision to changing ecosystem services (Acketoft 2008, Barnett and Webber 2009).

In this paper, the focal point will be temporary and circular migration<sup>1</sup>. By maintaining linkages between migrants and their countries of origin, circular migration turns migrants into agents for development. For the host country, it has the advantage of reducing the social and political costs of immigration, as circular migrants return to their country of origin. Similarly, the latter does not have to deal with permanent emigration, hollowing out its economy (Zapata-Barrero, Faúndez García and Sánchez Montijano 2010; Deprez 2010). In this sense, circular migration offers a more durable solution for countries severely affected by environmental degradation. Temporary, circular and seasonal migration is recognised as an important strategy of income diversification, in particular in case of land degradation and desertifi-

---

<sup>1</sup> Circular migration as a pattern of human mobility is a migration model giving migrants the option to move back and forth between home and host countries, often with mutually beneficial policy goals.

cation. Where people rely heavily on rain-fed agriculture, circular migration acts as an effective strategy to react to recurring droughts and changes in rain patterns (Tacoli 2009). With these existing migration patterns in mind, it is to be expected that temporary and circular migration will increasingly become a coping strategy to deal with slow-onset environmental degradation.

## *2.2. Maximum Merits, Minimum Costs*

In order to support migration as a valid response to changing environmental conditions, a radical change of policy is necessary. Instead of taking a restrictive approach towards migration and regarding migration as a failure of adaptation, policymakers at the national and international level should support and facilitate environmental migration as an adaptation and development strategy. As climate change will increasingly motivate people to search for a livelihood elsewhere, we need to broaden the options for labour migration for environmentally-affected vulnerable communities. In doing so, policy responses should focus on maximising the benefits of migration, and minimising its costs for all the stakeholders involved in the migration experience.

In order to facilitate international labour migration, it is firstly necessary to remove some of the legal, financial and social barriers. Possible beneficiaries of a migration programme need in the first place information on where to go, how to make a living, which rights and entitlements they have, etc. (Barnett and Webber 2009). Furthermore, the financial barriers (costs of transport, housing, transferring remittances,...) need to be taken away. Migrants and their families also need support in reducing their separation distress. Moreover, in order to contribute to the economic growth and adaptive capacity of host and home communities, migration and development policies should be harmonised. On the one hand, gaps in the labour markets of developed countries could be filled by accommodating migration from vulnerable communities affected by environmental degradation, while on the other hand, migration contributes to the socio-economic growth of those communities (Barnett and Webber 2009). Such a coherent linkage of development, environmental and migration policies represents a comprehensive solution to deal with environmental degradation.

International migration is not without costs, both for the migrants themselves, as for the communities of origin and of destination. There is however a wide range of possibilities to reduce the risks associated with environmentally-induced migration. As migrants are often in vulnerable positions, subject to exploitation and discrimination, it is important to ensure them equal rights and entitlements than local workers. The extent to which migrants and their communities benefit from the migration experience, depends for a large part on these enti-

lements, including access to health care and education, political and economic freedoms, and the right to move in and out of the host country. In particular labour migrants require assistance to reduce the costs of migration, including assistance with the visa procedure, housing, public services, and integration in the host community. Furthermore, by reducing the cost of remittance transfers, the merits of migration for their families and communities of origin can be maximised (Barnett and Webber 2009).

Another often raised concern is the risk of brain drain for the country of origin. Mass emigration of skilled people might even diminish a country's adaptive capacity. The risk of brain drain can however be reduced by facilitating the circularity of the migrants, namely by allowing them to move freely between host and home countries. When migrants are encouraged to return to their native countries, temporarily or permanently, they can become 'agents of change', bringing knowledge on climate change adaptation and disaster risk reduction, and transferring money and skills. Host countries can furthermore invest in the up-skilling of communities of origin, which would then create opportunities for the transfer of remittances (Barnett and Webber 2009).

### *2.3. A Place for Migration in the UNFCCC Framework?*

Even though the benefits of migration as an adaptive strategy have been recognised by both scholars and policymakers, up till now, this has not been translated into clear and legally binding obligations. The 1992 United Nations Framework Convention on Climate Change (UNFCCC), which provides the international legal framework addressing climate change mitigation and adaptation, does not address human mobility, and neither does the Kyoto Protocol of 1997, which foresees in more powerful, legally binding, measures. As the commitment period of the Kyoto Protocol ends in 2012, the international community is now negotiating on a new international framework to deliver stringent emission reduction targets. While the Kyoto Protocol mainly focuses on reducing greenhouse gas emissions, its successor will also need to address the unavoidable consequences of climate change (Kolmannskog 2009).

In 1990, the IPCC highlighted migration and displacement as consequences of global warming (IPCC 1990). Since then, humanitarian agencies have been advocating for the recognition of human mobility as a consequence of climate change, and have submitted various reports to the UNFCCC, specifically addressing migration and displacement (Kolmannskog 2009). The issue has come up in some side-events and figured in some of the statements of national ministers during successive climate negotiations, but it had never made it into the

formal negotiation process. Most policymakers still viewed climate-induced migration as a failure of adaptation to the adverse effects of climate change.

In the months of negotiations leading to the Conference of the Parties (COP 15) in Copenhagen in December 2009, there was finally some good news for the issue of environmental migration. In the spring of 2009, the term 'climate refugees' was for the first time mentioned in the draft negotiation text dealing with adaptation measures. The term itself has been dropped later, but the need to help climate change migrants or displaced persons has increasingly gained attention (IRIN 2009). In the draft negotiation text, made public in May 2009, there was for the first time a paragraph included on climate change induced migration and relocation. According to paragraph 25 (e), adaptation actions included 'activities related to national and international migration/planned relocation' (UNFCCC 2009a). At the negotiations in Bonn in June 2009, this paragraph was warmly welcomed by international organizations such as UNHCR and the IOM, and by many states. However, the paragraph was put between brackets, which meant it required further negotiation (Kolmannskog 2009).

During the next negotiation sessions leading to the Copenhagen summit, the paragraph on climate induced migration was further edited, was even supported by the G77 and China (Kolmannskog 2009), and seemed likely to get in the Copenhagen outcome. However, the COP 15 at Copenhagen did not have the outcome that was hoped for. While some significant steps were made forward on the inclusion of adaptation measures and disaster risk reduction, little progress was made on the more controversial issues such as the reduction of greenhouse gas emissions, funding, and the assistance of richer nations to developing nations. So the draft agreement, containing the entry referring to climate change migration, was not adopted. However, the Copenhagen Accord emphasised the importance of adaptation measures (Martin 2010). It required '[e]nhanced action and international cooperation on adaptation', 'by enabling and supporting the implementation of adaptation actions aimed at reducing vulnerability and building resilience in developing countries' (UNFCCC 2009b). Developed countries should support the most vulnerable developing countries, such as the Least Developed Countries (LDCs) and small-island developing countries, by giving them priority for adaptation programmes. It is not clear however to what extent migration programmes should be part of such adaptation action. Still, the incorporation of this issue into the climate negotiations was very significant (Kolmannskog 2009). After the Copenhagen summit, NGO's, academics and some developing countries therefore kept on lobbying for the recognition of migration as part of adaptation action.

In the months after COP 15, the draft negotiation text was further narrowed down. In the current version of the negotiation text of the Ad Hoc Working Group on Long-term Cooperative

Action under the Convention (AWG-LCA), there is one entry that deals with climate change and mobility. Paragraph 4(f) ‘invites all Parties to enhance adaptation action under the Adaptation Framework, by undertaking

(f) Measures to enhance understanding, coordination and cooperation related to national, regional and international climate change induced displacement, migration and planned relocation, where appropriate’ (UNFCCC 2010).

The brackets have been removed, which means that there is a large agreement on this text. It is now up to the Parties at the COP 16 in Cancún to decide whether this paragraph will remain in the final outcome. Hopefully, many months of negotiations will, at a certain point in time, result in a binding legal agreement, with clear commitments on both mitigation and adaptation action. It also remains to be seen how such an agreement, incorporating human mobility as an adaptation measure, would be implemented in practice. It is firstly necessary to inform policymakers on the meaning of the terms ‘displacement’, ‘migration’, and ‘planned relocation’. Risk assessments could then identify vulnerable communities for participation in environmental migration programmes. Affected states could be assisted in creating such assessments by international and national institutions, and adaptation funding could be allocated for such assessments. It is furthermore necessary to inform policymakers on the meaning of the terms It can be recommended to:

1. concretise the provisions on migration as an adaptation strategy in the UNFCCC framework,
2. turn the soft law provisions into legally binding obligations,
3. introduce mechanisms to improve the compliance (e.g. monitoring and reporting obligations), and
4. provide policymakers with good practices of environmental migration as an adaptation strategy.

### 3. Case Study: Temporary and Circular Labour Migration between Colombia and Spain

In order to analyse how international migration can be facilitated for environmentally-affected communities, many lessons can be learned from existing good practices. A case study of the Temporary and Circular Labour Migration (TCLM) programme between Colombia and Spain illustrates how migration acts as an adaptation strategy for communities affected by natural

disasters, and how the opportunities of the migration experience to reduce people's vulnerability are maximized.

### *3.1. Circular Mobility for Environmentally-affected Communities*

The Temporary and Circular Labour Migration (TCLM) programme offers Colombians facing recurring natural disaster the opportunity to temporarily migrate to Spain, to earn an income in seasonal labour (for an extensive discussion of the TCLM programme: see de Moor 2011). This way, the innovative migration model offers them a livelihood alternative, while the affected regions in Colombia can recover.

The programme originated as a regular labour migration programme, initiated by Unión de Pagesos (UP), the main agricultural trade union from the Spanish region Catalonia. In order to respond to the gap in labour supply in the agricultural sector, this union organised and supported the recruitment of seasonal migrant workers. With the TCLM project, they facilitated seasonal labour migration for Colombian workers (Magri 2009; IOM 2011). The Unión de Pagesos provided logistical assistance (selection of the beneficiaries, travel arrangements, visa procedures,...), and supported the workers before and during their stay in Spain. They provided for example training courses for the migrants, with the aim of increasing the development impact of the programme in the country of origin (Engelman 2009).

One of the innovative aspects of the TCLM project, is that it is orient towards vulnerable communities in Colombia. The programme targets various groups of vulnerable beneficiaries, from indigenous groups to single mothers (Magri 2009). One of the rather unusual targeted communities, are communities affected by environmental disasters. Some of the communities are selected with the aim of 'relocating' them from regions at high risk of natural disasters. When in 2006 the ashes of the Galeras volcano destroyed a large part of its surrounding area in South-west Colombia, the TCLM programme offered thousands of affected persons a livelihood alternative through seasonal labour in Spain (IRIN 2010; Engelman 2009). Later, the programme was expanded to include other environmentally-vulnerable communities, such as rural populations whose crops are vulnerable to floods and other environmental disruptions.

### *3.2. Win-Win-Win Outcome for Development and Adaptation*

The goal of the TCLM programme is three-fold: it has potential development and adaptation benefits for the migrants themselves, their communities of origin and the host country. Firstly, the programme is an answer to Catalonia's demand for seasonal workers. It fills gaps in the labour market, without having to accept permanent migration. This way, the project contrib-

utes to the economic growth of the host region. It also aims at legally regulating and effectively managing labour migration flows to Spain (Magri 2009; Zapata-Barrero, Faúndez García and Sánchez Montijano 2010).

Secondly, the TCLM programme clearly impacts positively on the migrants themselves, as it allows them to earn a livelihood abroad, and send remittances to their families. By working in seasonal harvest in Spain, the participating migrations also acquire new skills and knowledge to diversify their income upon return to Colombia. These 'social remittances' can help them to increase their resilience, and it might even reduce their vulnerability to future environmental disruptions (Magri 2009; Engelman 2009). Furthermore, the possibility to temporarily migrate to Spain gives them an alternative to permanent, urban and/or forced migration.

Finally, the TCLM project is also meant to generate development of Colombian communities (IOM 2011). By transferring financial and social remittances, the participating migrants can not only improve their personal income, but the economic welfare of their home community as well (Magri 2009). Furthermore, the absence of the seasonal workers allowed for the recovery of the fragile land, allowing crops to start growing again (IRIN 2010).

The TCLM programme has been specifically designed to support the development-outcome of the programme for the communities of origin, and to tackle some of the concerns raised on temporary and circular labour migration programmes. Firstly, the participating workers are well prepared and assisted before and during their working period in Spain. Through training activities, they are prepared to generate socio-economic development in their region of origin, mainly through income generating activities, creating employment opportunities. However, it has been proved that many of the returned migration lack the sufficient capital and expertise to start up their own business. Therefore, more support should be provided in developing and implementing business plans, and in channelling their remittances towards productive initiatives. In order to increase the opportunities for development, the project selects workers which demonstrate community involvement and leadership. Their loyalty with their home communities acts as an incentive to return to Colombia, and encourages them to invest in their home communities (Magri 2009).

One of the critiques on temporary and circular migration, is the lack of legal protection for temporary labour migrants (Magri 2009; Castles 2006; Zapata-Barrero, Faúndez García and Sánchez Montijano 2010). In order to tackle this concern, the workers participating in the TCLM programme are informed of their rights prior to their departure, and receive information on the working conditions in the destination country (Magri 2009). Furthermore, it is important to note that the TCLM project also takes the families left behind into account. In order to re-

duce their separation distress and assist them to earn a livelihood, they get support while their relatives are abroad. Finally, integration in the place of destination is supported both through preparatory activities in Colombia, informing the worker on the local community, and through a variety of activities in Spain (Magri 2009).

### *3.3. Legal Framework Supporting Circular Migration*

#### *3.3.1. Bilateral Agreement between Spain and Colombia*

In 2001, Spain and Colombia signed a bilateral migration agreement, in order to manage migration flows from Colombia to Spain (Agreement between Spain and Columbia 2001). The agreement regulates the recruitment process, the issuance of residence and work permits, and provides the migrant workers with a legal framework which promotes dignified and beneficial working conditions (IOM 2009). Remarkably, it also refers to the development benefits for both the country of origin and of destination (Vergé Oms 2010). It encourages the parties to take measures to support the reintegration of Colombian migrants (IOM 2009). This bilateral migration agreement provided the basis for the establishment of the TCLM project by the Unión de Pagesos.

#### *3.3.2. Spanish Migration Legislation*

In general, Spanish migration legislation allows to hire third-country workers in accordance with yearly determined quota (Organic Law N° 4/2000: Article 39; Implementing Regulation: Articles 77-80). Seasonal labour migration is allowed for a maximum period of nine months within 12 consecutive months (Magri 2009; Royal Decree 2393/2004: Article 55). The Royal Decree (2393/2004) lists the sectors where seasonal migrants can be employed, and the quota for seasonal workers is mainly reserved for countries having signed a bilateral agreement with Spain, including Colombia (Organic Law N° 4/2000: Article 42, §4; Implementing Regulation: Article 55; IOM 2009; Magri 2009). The workers are selected in their country of origin, after verification that there are no workers already residing in Spain that can fill a particular vacancy (Royal Decree 2393/2004: Article 50; IOM 2009; Magri 2009). The Spanish employer must furthermore provide adequate accommodation for the migrant workers, and register them within the Spanish social security system (Implementing Regulation: Article 56; IOM 2009; Magri 2009).

An important concern that has been raised about circular migration programmes, is the risk of circumvention of the programme. To guarantee the return of the worker, the visa that seasonal migrants are granted, is valid for a maximum period of nine months, and does not allow a change of residence status. So the worker must return to Colombia at the end of the sea-

son, and to prove this, he has to go to the Spanish consulate within one month after his return. Compliance with this rule for two years leads to priority to be engaged in Spain during the next seasons (Organic Law N° 4/2000: Article 40, k; IOM 2009). Migrants participating in the TCLM programme are also informed on the risks of an irregular stay in Spain, and are encouraged to return by their commitment to the communities of origin (Magri 2009).

### *3.4. Conditions for Replication of the TCLM Programme*

In order to promote the TCLM programme as a good practice of environmental migration, it is necessary to examine the possibility to replicate this programme in other states. As the conditions and procedures for labour migration vary between states, a comparative analysis of the legal and institutional framework regulating temporary labour migration is needed. Various conditions for the consolidation and replication of this programme can be identified. Firstly, the TCLM programme is a context-based migration model, which means it has to be adapted to national and local specificities. The political, economic and institutional context of the host regions will be decisive for its implementation.

Furthermore, a solid legal framework facilitating temporary and circular labour migration for low-skilled workers is indispensable. In some countries, the issuance of residence and work permits for third-country nationals is limited to certain third countries, or can only take place within certain sectors of the economy, or within certain quota. In some countries, labour migration is facilitated through bilateral migration agreements with countries of origin (IOM 2009). As discussed above, the encouragement of the circularity of the migrant is another important aspect of national policy and legislation. Furthermore, efficient migration procedures, with reliable migration institutions, contribute to the success of any labour migration programme (Magri 2009; Vergé Oms 2010). Finally, a policy linking migration with development and adaptation is key for the establishment of a temporary and circular labour migration programme for communities affected by environmental degradation. In most developed countries, such a strategy is lacking for the moment.

## **4. Tools to Facilitate ‘Environmental’ Migration**

It is clear from the above that international migration can contribute to the development and adaptive capacity of vulnerable communities. More research is necessary on how to facilitate international migration, in particular labour migration, targeted at certain vulnerable communities. This Chapter highlights some of the possible tools to accommodate international migration as an adaptation strategy.

#### 4.1. *National Adaptation Programmes of Action (NAPAs)*

As discussed above, the draft negotiation text for the UNFCCC climate talks encourages countries to enhance adaptation action through ‘measures to enhance understanding, coordination and cooperation related to national, regional and international climate change induced displacement, migration and planned relocation, where appropriate’ (UNFCCC 2010). If this paragraph would be adopted, the question rises how to incorporate migration into national and regional adaptation frameworks.

One way of integrating environmental migration into the broader adaptation framework, is via national adaptation programmes of action (NAPAs). The COP 7 in Marrakech in 2001 has introduced NAPAs to help the Least Developed Countries (LDCs), which will suffer disproportionately from the adverse effects of climate change, to design immediate adaptation plans. These programmes provide the main mechanism for those countries to identify their most urgent adaptation needs and priority actions (GFMD 2010; Magri 2009). As of February 2010, 44 countries have submitted NAPAs to the UNFCCC Secretariat<sup>2</sup>. Some of them recognise the linkage between climate change and migration, by highlighting the need to take measures to prevent migration, or to relocate communities in a safer place (GFMD 2010; Martin 2009).

However, the majority of NAPAs does not recognise migration as a proactive adaption and development strategy. In order to create a coherent policy approach, a more systematic integration of migration into national adaptation programmes is advisable. The national adaptation framework must furthermore be integrated with more broader policies of development and poverty reduction (GFMD 2010; Martin 2009; Martin 2010). Finally, as for *international* migration, a legal migration programme will have to be adopted at the regional level, or through cooperation agreements with other countries.

#### 4.2. *Legal Framework for Labour Migration*

Aside from integrating the concept of migration as an adaptation strategy in environmental law, it must also be incorporated into national migration law and policy. The case study of the TCLM programme demonstrates that a legal and institutional framework facilitating labour migration for low-skilled workers is a key factor in the establishment of a migration pro-

---

<sup>2</sup> For a list of NAPAs and a last update, see:  
[http://unfccc.int/cooperation\\_support/least\\_developed\\_countries\\_portal/submitted\\_napas/items/4585.php](http://unfccc.int/cooperation_support/least_developed_countries_portal/submitted_napas/items/4585.php).

gramme for vulnerable communities. Furthermore, it is important to actively support the development outcome of such programmes.

#### 4.2.1. Migration Management Linked to Development and Adaptation

In order to support migration as an adaptive strategy, it is crucial to link migration policy with development and environmental policies, both at the national and the international level. Environmental and development motives should be taken into account when discussing how to 'manage' migration, while migration should be recognised in environmental law and policy as a strategy to reduce vulnerability and increase resilience of affected communities (GFMD 2010). Developed countries can for example accommodate migration as an adaptive strategy by targeting migration schemes at disaster-affected communities, and strengthening the benefits of migration for the development and adaptation of the communities of origin (GFMD 2007).

In most developed countries, the coherence between those different policy areas is lacking for the moment. Spain however has introduced the concept of co-development into its migration policy. The Plan Estratégico de Ciudadanía e Integración (Strategic Plan for Citizenship and Integration) 2007-10 from the Ministry of Work and Social Affairs, 'aims at identifying and promoting development opportunities for the countries of origin while incorporating co-development strategies in the process of integrating migrants' (Magri 2009). The plan emphasises the importance of cooperation among local governments in the country of origin and destination and on channelling remittances towards productive initiatives. Such a coherent linkage of development and migration could serve as a good practice for other countries.

#### 4.2.2. EU Mobility Partnerships: a Tool for Coherent Policymaking?

The national migration legislation of most developed countries has not installed migration channels for environmental migrants, vulnerable communities, or disaster-affected populations. Most migration categories are based on the personal situation of the individual migrant (procedures for family reunification), or on the situation of the labour market in the destination country (mostly high-skilled labour migration) (Martin 2010). In order to establish new admission categories, destination countries should cooperate on the regional level, e.g. the European Union.

With the purpose of managing international migration, and fighting irregular migration, European Member States often conclude migration agreements with third countries. Aside from facilitating the return of irregular migrants, such agreements often simplify the selection of foreign workers, and establish rights and obligations of migrants (Magri 2009). The question

risks whether innovative migration programmes for vulnerable communities could be created through such bilateral migration agreements with countries affected by environmental degradation (*cf.* the TCLM programme, which was based on a bilateral agreement between Colombia and Spain).

Besides bilateral agreements, concluded on the national level, migration agreements can also be concluded at the regional level. In 2001, the European Union introduced 'EU Mobility Partnerships', with the aim of identifying 'novel approaches to improve the management of legal movement of people between the EU and third countries ready to make significant efforts to fight illegal migration' (European Commission 2007; Parkes 2009). The Partnerships could act as a framework for specific migration projects between European Member States and third countries. In exchange for measures reducing irregular migration, the EU or its Member States could enable third country nationals to access their territories. Improved opportunities for legal migration could also be given as part of a larger strategy to assist developing countries to adapt to a changing climate.

The introduction of Mobility Partnerships reflects the increasing association of European migration policy with other policy areas (European Commission 2007). Further research is necessary into the possibilities of EU Mobility Partnerships for the establishment of environmental migration schemes. However, as Member States are generally reluctant to transfer competences on migration to the European Union, it remains to be seen whether EU Mobility Partnerships can actually take up this innovative role in the future.

## 5. Conclusion and Policy Recommendations

International migration is increasingly recognised as a strategy to adapt to a changing environment. Policymakers should now be informed on how to accommodate international migration for disaster-affected or vulnerable communities. This paper describes some of the policy responses that can be taken to maximise the benefits of such movements for development and adaptation, and to minimise its costs. However, more research on good practices is needed to convince policymakers to regard migration 'as part of the solution rather than the problem' (Tacoli 2009). In order to bring about the necessary radical change in the migration policy of developed countries, we need to better understand the advantages of linking migration with development and adaptation. Some policy recommendations can already be identified.

**It can be recommended to:**

- support more research into how migration may enhance the adaptive capacity of communities, and contribute to their socio-economic development;
- adopt (preferable legally-binding) provisions on migration as an adaptation strategy in the UNFCCC framework;
- strengthen the linkages between relevant policy areas, by incorporating migration into the national and regional adaptation framework, e.g. through National Adaptation Programmes of Action (NAPAs);
- target international (labour) migration towards disaster-affected and vulnerable communities (e.g. through the conclusion of bilateral or regional migration agreements with countries affected by environmental degradation);
- maximise the benefits of international (labour) migration for adaptation and development, e.g. by reducing the costs of sending remittances, investing in skill-building of vulnerable communities, channelling financial and social remittances to job-creating initiatives and adaptation measures in countries of origin; and
- reduce the costs of international (labour) migration, specifically of temporary and circular migration, by ensuring migrant workers the same rights as local workers, taking measures to prevent brain drain, etc.

Although there will be some political and economic constraints on the implementation of these recommendations, I believe that a coherent approach, strengthening the linkages between relevant policy areas, could turn environmental migration into a tool for development and adaptation of vulnerable communities.

## References

T. Acketoft (2008) 'Environmentally Induced Migration and Displacement: A 21<sup>st</sup> Century Challenge', Report of the Committee on Migration, Refugees and Populations, Council of Europe Parliamentary Assembly, Doc. 11785, 23 December 2008.

J. Barnett and M. Webber (2009) 'Accommodating Migration to Promote Adaptation to Climate Change', A Policy Brief prepared for the Secretariat of the Swedish Commission on Climate Change and Development and the World Bank World Development Report 2010 Team, Melbourne, Department of Resource Management and Geography, University of Melbourne.

P. Boncour (2009) 'The Moment of Truth: Adapting to Climate Change', *Migration*, Autumn 2009, IOM, Geneva.

S. Castles (2006) 'Back to the Future? Can Europe Meet its Labour Needs through Temporary Migration?', Working Paper No. 1, International Migration Institute, University of Oxford.

N. de Moor (2011) 'Temporary Labour Migration for Victims of Natural Disasters. The Case of Colombia', forthcoming in M. Leighton and X. Shen (eds.) *New Policy and Institutional Frameworks to Better Protect Climate-Related Migrants*, SOURCE nr. 15/2011, Publication Series of UNU-EHS, April 2011.

A. Deprez (2010) 'Climate Migration in Latin America: A Future 'Flood of Refugees' to the North?', Part 2: 'Hotspot Case Study: Mexico', Analysis prepared by COHA Research Fellow Alexandra Deprez Blog post of the Council on Hemispheric Affairs, Posted 26 Feb 2010, <http://www.coha.org/climate-migration-in-latin-america-a-future-%E2%80%99flood-of-refugees%E2%80%99-to-the-north-part-2/>, 2010.

R. Engelman (2009) 'The State of the World Population 2009: "Facing a Changing World: Women, Population and Climate Change"', United Nations Population Fund (UNFPA), 2009, [http://www.unfpa.org/swp/2009/en/pdf/EN\\_SOWP09.pdf](http://www.unfpa.org/swp/2009/en/pdf/EN_SOWP09.pdf)

European Commission (2007) 'Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Circular Migration and Mobility Partnerships between the European Union and Third Countries', COM(2007)248 final, Brussels, 16 May 2007.

Global Forum on Migration and Development (GFMD) (2007), Brussels GFMD 2007, 'Final Conclusions and Recommendations of the Chair, Ambassador Regine De Clercq'.

Global Forum on Migration and Development (GFMD) (2010), Mexico Chair 2010, 'Background Paper Roundtable Session 3.2: Assessing the Relevance and Impact of Climate Change on Migration and Development'.

Intergovernmental Panel on Climate Change (IPCC) (1990), 'First Assessment Report, Working Group II: Impacts Assessments of Climate Change'.

Intergovernmental Panel on Climate Change (IPCC) (2007) 'Fourth Assessment Report, Working Group II: Impacts, Adaptation and Vulnerability, Appendix 1 (Glossary)'.

IOM (2009) *Laws for Legal Immigration in the 27 EU Member States*, International Migration Law N°16, International Organization for Migration (IOM).

IOM (2011) 'Enhancing Development in Colombia through Temporary and Circular Labour Migration', webpage of the International Organization for Migration (IOM), <http://www.iom.int/jahia/Jahia/activities/by-theme/facilitating-migration/labour-migration/enhancing-development-Colombia-Spain-through-temporary-circular-labour-migration>, date accessed 1 February 2011.

IRIN (2009) 'Climate Change: Good News for Climate Change Migrants', IRIN Humanitarian News and Analysis, 11 December 2009, <http://www.irinnews.org/Report.aspx?ReportID=87405>, date accessed 1 February 2011.

IRIN (2010) 'Fleeing Disaster can be a Good Thing', IRIN Humanitarian News and Analysis, 30 March 2010, <http://www.irinnews.org/Report.aspx?Reportid=88627>, date accessed 1 February 2011.

V. Kolmannskog (2009) 'Towards a Humanitarian Climate Change Agreement', in *Climate Changed, People Displaced*, Norwegian Refugee Council, Thematic Report 2009.

F. Laczko and E. Collett (2005) 'Assessing the Tsunami's Effects on Migration', Feature Story on Migration Information Source, Migration Policy Institute, April 2005, <http://www.migrationinformation.org/USfocus/display.cfm?id=299>, date accessed 1 February 2011.

F. Laczko (2010) 'Migration, the Environment and Climate Change: Assessing the Evidence', the German Marshall Fund of the United States, Study Team on Climate-induced Migration, June 2010, [http://www.gmfus.org/galleries/default-file/Laczko\\_MAH\\_EditsV2.pdf](http://www.gmfus.org/galleries/default-file/Laczko_MAH_EditsV2.pdf).

N. Magri (2009) 'Temporary Circular Labor Migration between Colombia and Spain: A Model for Consolidation and Replication', Mpp Masters Thesis, with Supervision of Melissa Siegel, Maastricht Graduate School of Governance, Maastricht University, 2008-2009.

S. Martin (2009) 'Managing Environmentally Induced Migration', in Laczko, Frank and Aghazarm, Christine (eds). *Migration, Environment and Climate Change: Assessing the Evidence*, International Organization for Migration (IOM), Geneva, p. 355-386.

S. Martin (2010) 'Climate Change, Migration and Governance', *Global Governance on Migration*, Vol. 16, N° 3, July-September 2010, 397-414.

R. Parkes (2009) 'EU Mobility Partnerships: A Model of Policy Coordination?', *European Journal of Migration and Law* Vol. 11, p. 327.

C. Tacoli (2009) 'Crisis or Adaptation? Migration and Climate Change in a Context of High Mobility', *Environment and Urbanization*, Vol. 21(2), p. 513.

United Nations Framework Convention on Climate Change (UNFCCC) (2009a), 'Draft Negotiation Text for the Sixth Session of the Ad Hoc Working Group on Long-Term Cooperative Action under the Convention (AWG-LCA) on 1-12 June 2009 in Bonn (Germany), FCCC/AWGLCA/2009/8, 19 May 2009, available at: <http://unfccc.int/resource/docs/2009/awglca6/eng/08.pdf>.

United Nations Framework Convention on Climate Change (UNFCCC) (2009b), 'Copenhagen Accord', adopted at the Conference of the Parties at its Fifteenth Session, FCCC/CP/2009/L.7, 18 December 2009, Copenhagen, available at: [http://unfccc.int/documentation/documents/advanced\\_search/items/3594.php#beg](http://unfccc.int/documentation/documents/advanced_search/items/3594.php#beg)

United Nations Framework Convention on Climate Change (UNFCCC) (2010), 'Draft Negotiation Text for the Twelfth Session of the Ad Hoc Working Group on Long-Term Cooperative Action under the Convention ((AWG-LCA) on 4-9 October 2010 in Tianjin (China), FCCC/AWGLCA/2010/14, 13 August 2010, available at: <http://unfccc.int/resource/docs/2010/awglca12/eng/14.pdf>

J.J. Vergé Oms (2010) 'Planned Migration', in *Temporary and Circular Labour Migration. Experiences, Challenges and Opportunities*, International Organization for Migration (IOM) and Unió de Pagesos, p. 11-29.

R. Zapata-Barrero, R. Faúndez García and E. Sáncnez Montijano (2010) 'Temporary and Circular Labour Migration (TCLM) of Workers between Colombia and Spain. A Model to Consolidate', in *Temporary and Circular Labour Migration. Experiences, Challenges and Opportunities*, International Organization for Migration (IOM) and Unió de Pagesos, p. 48-76.

Agreement between Spain and Colombia on the Regulation and Organization of Migratory Flows for Employment, signed 21 May 2001, Official State Bulletin No. 159, 4 July 2001.

Implementing Regulation of Organic Law 4/2000, Official State Bulletin No. 174, 21 July 2001, Spain.

Organic Law N° 4/2000 on the Rights and Freedoms of Aliens in Spain and Their Social Integration of 11 January 2000, amended by Organic Law 8/2000, Organic Law 11/2003, Organic Law 14/2003 and Organic Law 2/2009, Spain.

Royal Decree 2393/2004 of 30 December 2004, which approves Regulation of Organic Law 4/2000, of 11 January 2000, on Rights and Freedoms of Foreigners in Spain and Their Social Integration, Spain.