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INTEGRATION OF FEMALE IMMIGRANTS IN LABOUR MARKET AND SOCIETY

A COMPARATIVE ANALYSIS

Summary, Results and Recommendations

EU-Project:

Integration of Female Immigrants in Labour Market and Society. Policy Assessment and Policy Recommendations (FeMiPol)

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SEPTEMBER 2009

INSTITUTE OF SOCIAL RESEARCH AT THE GOETHE UNIVERSITY, FRANKFURT AM MAIN

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Results of the FeMiPol project have been published as Working Papers in the project Homepage   www.femipol.uni-frankfurt.de

Further results will be published in the volumes:

Krystyna Slany, Maria Kontos, Maria Liapi (eds.)
Women in New Migrations. Debates in European Societies, Jagiellonian University Press, Krakow (in press)

Floya Anthias, Maria Kontos, Mirjana Morokvasic (eds.)
Integration between Policy and Agency. New Female Migrants in European Societies, (forthcoming)

Floya Anthias, Maria Kontos, Mirjana Morokvasic and Mojca Pajnik (eds.)
Integration Strategies of New Female Migrants in European Societies (planned)

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Executive Summary
Maria Kontos

1 New female immigrants and integration policies in Europe

The majority of migrant women who came to the old immigration countries of Northern and Western Europe in the 1950's, 60's and 70's were able to integrate into regulated labour markets. In contrast, in many European countries recent female immigrants find openings mostly within informal labour markets: domestic services, sex industries, agriculture and tourism. An increasing diversity of new female migrants in terms of legal status and rights may be observed, as they enter European countries in the process of family reunion or family formation, as asylum seekers, labour migrants, tourists or as illegal migrants.

In the European Union the integration policy targeting migrants is the responsibility of individual member states. However, integration policy has become increasingly important at the EU level and there are efforts to develop a common approach for integration within a coherent European framework. The EU Commission stresses that the integration of migrants becomes even more important as the economic and social aspects of demographic aging become more significant and explicitly refers to migrant women as a target group for integration policy[1].

Responding to the challenges of integration policy, the EU-founded project "Integration of Female Immigrants in Labour Market and Society. Policy Assessment and Policy Recommendations (FeMiPol)" (2006-2008) assessed the impact of social and labour market policies, including integration and migration policies, on the position of new female migrants both with and without legal status, and on this basis has formulated recommendations for more appropriate policies that foster integration of new female migrants and produce greater social cohesion. A special focus has been on the most exploited categories like domestic workers, prostitutes and victims of trafficking. The results of the FeMiPol project will be useful for both policy makers and academics. This volume summarizes these results.

2 Integration concept and research design

The EU understanding of integration processes focuses on integration as a "dynamic, two way process of mutual accommodation by all immigrants and residents of Member States" (Commission of the European Communities 2005). In this way, the Commission brings both the immigrants' own efforts for integration into the fore and the social policy aspects. In the spirit of this understanding, the FeMiPol project adopted *an agency-sensitive concept* of social integration that makes the social actor visible and takes into account the processual character of integration and its interrelation with broader biographical processes. Social integration can be understood as access to resources, participation and belonging. The capacity to cope with problems and barriers, to achieve participation and access, and to realize belonging is broadly affected by conditions set by social and integration policies.

The research included eleven national cases from old and new immigration countries, old and new EU member states and old and new market economies. The UK, France, Germany and Sweden are old immigration countries in Western and Northern Europe. Spain, Portugal, Greece, Italy and Cyprus are new immigration countries from Southern

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[1] See European Commission (2003), (2005), (2008).

Europe – Cyprus also as a new EU member state. Poland and Slovenia are new immigration countries and new market economies from Central and Eastern Europe, as well as new EU Member States.

A range of methods have been employed in order to explore the impact of policies on the integration of new female migrants and to investigate the ways in which migrant women cope with barriers, utilize or cope with policies – or their absence – and develop strategies in order to realize their life plans.

- *Document analysis* was deployed for mapping policies and analyzing their objectives.
- *Expert interviews* were conducted for gaining insights into the implementation of policies. Three to eight such interviews were conducted in each national case, the total being 66. Interview partners were policy makers, administrators and members of law enforcement agencies at national and local levels, as well as NGO activists engaged in the support of female migrants.
- *Focused narrative interviews with social service officers* revealed their experiences in interactions with migrant women, two to three in eight of the countries under analysis, in sum 26.
- The core of the analysis is based on the *biographical narrative interviews* with migrant women who entered the EU countries under consideration in the last 15 years. A minimum of 5 (in Sweden, Spain, and Portugal) to 20 (in the UK, France, Germany, Italy, Greece, Slovenia, Poland and Cyprus) biographical interviews per national case have been conducted and analysed, in sum 196. The interviewees were asked for a broad biographical narrative with a focus on their experience of migration and life in migration, including their experiences with policy measures, as well as their future prospects.
- In the last phase of the project a cross national analysis of the collected data was conducted. The comparison embraced on the one hand central dimensions of integration such as (formal and informal) labour market participation, residence rights, language and skills as well as civic participation, and on the other hand the categories of new female migrants that have been given special attention. Policy recommendations have been drawn from this comparative analysis.

Concerning the sample drawn for the biographical interviews, we have focused especially on the categories of migrant domestic and care workers, migrant prostitutes and victims of trafficking. Although there is research on different aspects of their life experiences, none of these groups has been studied before specifically in relation to integration processes. Further relevant categories for the analysis were female asylum seekers and family migrants. We included naturalized migrant women in our sample, as our aim was to reconstruct and analyse integration trajectories and thereby to acquire knowledge about the role of policies within a range of integration processes in a variety of situations.

For securing comparability of the data produced, we set up a "Manual on the Research Design" summarizing shared principles of data selection (sampling strategy), production (interviewing) and analysis (interpreting the biographical narratives).

The results of the analysis of the biographical interviews with focus to the impact of policies on the integration of new female migrants, their experiences and strategies, will be published in the volume "Integration Strategies of New Female Migrants in European Societies" edited by Floya Anthias, Maria Kontos, Mirjana Morokvasic and Mojca Pajnik.

The results of the comparative analysis (summarized in the following sections 3.1 to 3.6 and in sections 1 to 8 of the Comparative Analysis) will be published in the Book "Integration between Policy and Agency. New Female Migrants in European Societies", edited by Floya Anthias, Maria Kontos and Mirjana Morokvasic.

3   Key findings

Migration of women since the 90ies and the demand for new female migrants' labour

At the beginning of the project, partners produced state-of-the-art reports on the research on new female migrants and integration policies in the national contexts. These reports have been published on the project Homepage (http://www.femipol.uni-frankfurt.de/working_papers.html). A more developed version of these reports will appear as a book in early 2010 under the title "Women in New Migrations. Debates in European Societies" edited by Krystyna Slany, Maria Kontos and Maria Liapi and published by the Jagiellonian University Press, Krakow.

In order to understand the contexts of immigration and related policies, comprehensive data was gathered on migration flows, employment, sectoral distribution and unemployment of female migrants in the national contexts under consideration. These findings have been supplemented by estimations of the level of irregular migration of women. The problems of the disparity of the methods in counting the immigrant flows and presence in European countries have been highlighted, as well as the problems which arise in estimating irregular migration. The Statistical Analysis, authored by Ron Ayres and Tamsin Barber, is accessible on the project Homepage (http://www.femipol.uni-frankfurt.de/working_papers.html).

For enhancing an understanding of new female migrants' integration in European societies, we conducted an analysis of the demand for the labour of migrant women using a secondary analysis. This showed increasing demand for female migrant labour in domestic work with different levels and kinds of demand in the respective countries. There is also an increasing demand in the sex industry as well as agriculture (relevant in Spain and Poland), tourism (Southern European countries), and, in some countries, the manufacturing industry (the UK, Spain and Poland).

Convergence and divergence of national policies affecting the integration of new female immigrants

The FeMiPol project focused on the one hand on general policies such as social policies for the reintegration of the unemployed into the labour market, anti-discrimination policies and policies combating illicit work, or regulating specific labour markets that attract new female migrants. On the other hand the project looked at policies that explicitly address migrants and their integration, such as rules and regulations aimed at supporting the adjustment of newcomers to their new society.

Despite features which reflect specific differences in national socio-economic, political and historical backgrounds, the comparative overview reveals a certain level of convergence in national policies. Moreover, national policies tend to cluster along the Northern/Southern division, as well as the division between old and new EU member states and old and new market economies.

- One common characteristic among several Northern and Western European countries is the importance placed on restructuring the welfare state, combined with the increasing preference for a temporary labour migration regime, restrictions on family reunification, as well as an upsurge in assimilationist integration policies. Basic problems with the implementation of general and targeted integration policies are the compartmentalization of policy areas, the insufficient interlinking of policies, and, except for Sweden, a highly selective integration policy.
- In Southern European countries, the broader informalization of female migrants'

work and the unstable legalization of undocumented migrants is a common trait. Also, there is an absence of integration policies and in some cases of integration debate.

- All new Member States are in the early stages of migration and integration policy development[2]. Policy formation related to migration and integration issues in the new EU Member States is centralized and is taking place in the absence of a public debate.

Common features in all national cases highlight gender specific implementation of policies.

- An obstacle for the implementation of policies in favour of the integration of female migrants is the preconceived idea of the 'migrant' as male. This implies the dependency of female marriage migrants on their marriage or on the legal status of their husband, and a culturalization and victimization of migrant women.
- Repressive policies aimed at combating irregular migration and irregular work have serious negative impacts on the social situation of migrant women, but the implementation of these policies is selective. Irregular migrant women in domestic and care work seem to be tolerated by the authorities implementing these policies, while others, especially those in the sex industry, are confronted with rigid controls and expulsion.

The convergence of national policies is also related to the Europeanisation of social policies. In relation to EU policies the analysis revealed shortcomings:

- The Service Directive in practice creates low paid labour market segments in care work, especially in Germany and France.
- The Anti-Discrimination Directive fails to reach the most vulnerable groups, namely those with irregular work or legal status.
- In most European countries the implementation of the EU Directives on trafficking in human beings has produced policies that prioritize the repressive aspect rather than the protection of the victims.
- In the old EU countries, EU-initiated policies for the labour market integration of vulnerable groups (EQUAL, INTEGRA) offer some paths to integration for migrant women, although these efforts suffer under the project format of policy and the discontinuity that this implies.

The results of the policy analysis have been published on the homepage of the project in form of working papers (http://www.femipol.uni-frankfurt.de/working_papers.html).

The downsizing of the welfare state and its impact on the integration processes

The downsizing of the welfare systems in Western and Northern European countries has a variety of significant impacts on the integration of new female migrants.

- The structure of welfare regimes and particularly the public provision of care significantly shapes the demand structures for female migrant labour in care work while placing fundamental constraints on the labour market participation of female migrants, who are confronted with the unsolved problem of child care.
- Labour market de-regulation and flexibilization have differential impact on different groups. This is due to ethnic and gender labour market segmentation which entails female migrants being disproportionately located in low paid, low status jobs, and experiencing the insecurities and instabilities of short-term employment contracts and informal types of work.

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[2] Cyprus is a new EU Member State and at the same time, a Southern European country; however, in terms of migration policy it diverges from both Southern European countries and the new Member States in CEE in having an explicit and restrictive migration policy.

- New female migrants with a legal status are most likely to be hit by unemployment. A key integration problem therefore is that policies for the unemployed currently in force are not creating adequate conditions for long-term integration. Instead, they are producing a growing unstable segment of the workforce which remains on the margins of the labour market. This new trend in policy together with high unemployment has resulted in migrant women with a secure legal status becoming firmly integrated into the system of social benefits rather than achieving integration within the labour market.

- Vocational training for the unemployed has decreased and pressure to enter a paid job takes priority over training. This has increased deskilling among migrant women. The imperative for economic efficiency which informs service delivery often results in the provision of help for those with fewer barriers to employment: this tends to disadvantage migrant women.

- The support for language learning on offer is insufficient except in Sweden – another result of a shrinking welfare state. Language and other skills play a dual role as both control instruments for immigration policy, especially in Northern and Western European countries, and as resources for integration within the labour market and society. In countries that do not use language as an instrument for controlling immigration there is an even more limited infrastructure for language and training courses: this is the case in Southern European countries as well as in Poland. Our interviewees try to cope with this situation by developing strategies of active learning through listening, asking, reading and writing down.

- A further result of the downsizing or even absence of the welfare system is the underdevelopment of services of information for migrant women. For advice about opportunities for vocational and language training and jobs as well as social rights, migrant women have to rely instead on information circulating within ethnic networks which is of a patchy quality.

- Organizational structures embedded in larger societal structures and policies become a source of exclusionary practices and potential conflict in the interaction between female migrants and social service officers. For instance, social service officers often feel vulnerable due to the fragmentation of policies, the economization of services and a general lack of professional support regarding inter-cultural communication issues. This vulnerability contributes to defensive attitudes among the social service officers and thereby raises the potential for conflict with their clients.

Labour market demands and irregular immigration and work

Migrant women across European societies constitute a significant section of irregular labour. In all countries in the study there is a demand for informality which not only encourages irregular migrants in need of employment, but also those who have a regular migration status and non-migrants in need of work. This is not only affecting third-country nationals, but also those mobile citizens of the new EU Member States from the CEE countries. This is especially true of countries like Germany that have not yet granted the right of free movement to EU8 and EU2 nationals.

- In the Western and Northern European countries, particularly, a repressive migration policy conflicts with the social and economic demand for migrant women's labour. The migration policies regulating the legal status of asylum seekers and identified victims of trafficking operate to create informal work by excluding them from labour market participation.

- The Southern European countries have recognized the need for female migrants in the

domestic sectors by offering them the right to legalize their residence through regularization programmes. However, lower quotas for domestic workers than the actual number needed together with obscure and complex administrative procedures have led to problems in attaining legalization and to fluidity between legal and illegal statuses. The specific needs of female migrants and the types of constraints they experience are not taken into account in the regularization mechanisms.

- Policies aimed at preventing and combating illicit work are not only ineffective and counter-productive but often worsen the plight of female migrant workers by criminalizing them and confronting them with deportation.

The role of civic participation and civil society for the integration of new female immigrants

Elements of civic participation of female migrants on the fringes of societies

An important aspect of individual and collective integration is participation in civic society and in democratic decision-making processes. Third-country nationals are excluded from political rights. The political activity of migrant women is low or non-existent, especially in countries with weak civic involvement in general and where migrants' self-organization is lacking, as is the case in the new EU Member States. Migrant women are mostly involved in ethnic, cultural or religious organizations. Our analysis shows that their civic participation transcends the limits of the nation-state. Civic participation entails involvement in political discourse and practice, claiming rights and actively seeking support among co-ethnics, other migrants, the media and NGOs.

NGOs advocating and producing integration policy

The absence of substantial integration policy measures in relation to asylum seekers and victims of trafficking is a common trait in almost all countries. Furthermore, the large category of irregular migrants is ignored by official policy and in all countries their protection has become a task taken over by agents of civil society. The work of NGOs, religious and women's organizations, as well as self-organizations, is most significant for the maintenance of human rights for undocumented migrant women giving them the chance to maintain a precarious integration on the fringes of society.

- NGOs are direct partners in the implementation of policy (protection of victims of trafficking and victims of violence).
- They are political actors combating exclusion, discrimination and xenophobia, as well as developing activities beyond the official policy measures (counselling regular and irregular migrant women).
- They offer female migrants some possibilities of engaging in paid or voluntary work in the role of cultural mediators and integration helpers for other migrants. The NGOs thus become arenas of social upward mobility and integration.

However, the tight funding induced by the increasing marketization and economization of social policy implementation tends to limit the activities of these organizations.

Migrant domestic and care workers: the invisible support for European welfare systems

Multiple level policies (welfare, labour market and immigration policies) affect the domestic and care sector.

- In the Northern and Western European countries policies operate with a view to controlling and regularizing the demand for domestic and care work through

incentives for formal employment.
- In Southern European countries, there is more emphasis on setting up quotas for the immigration of domestic workers.
- In Eastern European countries there is little effort in this direction.

The multiple level policies affecting this sector have led to the persistent illegalization of many migrant domestic workers in Northern and Western European countries and in Southern European countries it has led at times to a shifting between holding a legal and an illegal status.

Schemes for temporary immigration into the domestic and care work labour markets have been devised by Cyprus, Germany and Poland. This immigration model directly and explicitly opposes the integration of migrant women; it is incompatible with the unpredictability of integration processes and the changeability of life plans.

The informality of work and irregular legal status, together with the familial character of domestic and care work result in a lack of workers rights, exploitation and lack of personal and family life for the worker. A further structural problem that leads to a deterioration of the work situation of migrant domestic workers is that they not only experience deskilling by working in this field but may also be confronted with situations demanding specific skills they do not possess. This problem applies to the care of the elderly, nursing and working with people in crisis and in childcare where differences in attitudes towards children's upbringing have to be negotiated. Migrant domestic workers employ a range of strategies in order to cope with their precarious and difficult work conditions and their lack of rights and also to improve their position.
- They may attempt self-professionalization.
- They may adopt strategies of exit: changing employer and moving from a live-in to a live-out work arrangement, shifting to other informal sectors of the economy or becoming self-employed.
- Some develop strategies to improve their living conditions and those of others by engaging in collective action with co-ethnics or other migrant groups, with religious activities being quite widespread.

Migrant women in prostitution and entertainment: exit as a precondition for social integration

The presence of new female migrants in prostitution and the entertainment industry became increasingly evident from the beginning of the 1990s. Most European countries in our study take a prohibitive attitude towards prostitution. There are some exceptions.
- Germany has decriminalized prostitution since 2002.
- Greece pursues a regularization regime.
- Sweden criminalizes clients.

In our samples most migrant women in prostitution entered Europe autonomously, legally or illegally, while nightclub dancers and strippers entered through short-term entertainment visas and work contracts. An artist visa may secure legal status but can tie the worker to the employer. Entertainment sectors, however, may include the provision of sexual services. A refusal to comply may mean the loss of a residence and work permit. Migrant women enter the prostitution sector due to a lack of alternative employment, or because they consider commercial sex to be a 'fast earning' but temporary and transitional activity. They may also move into prostitution from other low paid and undesirable jobs such as paid domestic work or agriculture.

Integration processes occur in the sub-cultural milieu of the co-ethnic sex workers. Networking and solidarity with other prostitutes are often in evidence amongst prostitutes working in brothels. Street prostitutes are more isolated and distrustful of others, especially

in countries with restrictive legislation and where they are under risk of prosecution. Strategies of distinction or 'othering' in response to stigmatization among street prostitutes, dancers and strippers jeopardize solidarity.

Access to legal status and residency is a central issue and represents the first step towards exit. Repressive and restrictive policies concerning entry and residence of foreigners as well as the criminalization of prostitution all contribute to illegalization and together with limited alternative job opportunities lead to a drastic deterioration of the conditions under which commercial sex activities are practised. The marginalization of migrant women in low paid activities working long hours reduces the appeal of the option of exit for most migrant women in prostitution. Their plans for the future may be related to exiting prostitution but in most cases these plans are located in the remote future.

Identified victims of trafficking: integration potentials and expulsion policy

The phenomenon of trafficking emerged in our sample not only in relation to sex work but also other kinds of employment, for instance work in restaurants and food processing industries. It can also take the form of enslavement within a country and not only in relation to crossing borders. Current legislation addressing trafficking, especially in terms of its implementation, is one-sided as it mainly promotes repressive action against traffickers rather than safeguarding and protecting the victims. In most countries those who are identified as victims are granted a temporary residence permit, but the conditions and the duration vary. The Italian approach to the protection of victims appears to be an exception. Here, resident permits are granted regardless of whether the victims are willing to testify against the traffickers. However, the law is not always implemented.

After having left the trafficking situation, victims are not interested in being repatriated. The victims of trafficking among our interviewees in most cases were eager to integrate into society and to enter the labour market. When under the protection of women's organization for the phase of giving testimony in court against the traffickers they would attend language courses and courses for vocational training. Having only a limited residence permit, however, they are continuously threatened with deportation.

4 Conclusions and main policy recommendations

The results of our analysis call into question the opposition of social exclusion and integration and provide insights into the dynamics of integration. While investigating the way new female migrants cope with irregularity, we have detected the *paradoxical coexistence of integration, irregularity and exclusion*. On the one hand, exclusion is related to the lack of legal status and workers' rights and processes of deskilling. On the other hand, integration processes are indicated by participation in informal work, informal networks and ethnic communities. All interviewees indicated their desire and efforts to integrate into the labour market and society and stressed the variety of obstacles they face. Undocumented migrant women make efforts to improve their own position through mobility between the informal sectors of economy, searching for better earnings, better working conditions and more autonomy. *Processes of making home* take place: integration through familiarization with the social context. Related to this development is the appearance of new notions of belonging. The original intention to shuttle between the country of origin and the country of destination may weaken.

Our interviewees employed a range of strategies to access labour markets – frequently through informal work – and to legalize their status, frequently by marrying an EU citizen or a migrant with residence rights. When they could legalize their status, they searched to find access to formal sectors of the economy. Thus, *irregular residence paradoxically functions*

as a pre-phase to legal residence and social integration.

Legal status and integration appears to be a state achieved by *struggling* against barriers and utilizing the means on offer: circumventing official hurdles or utilizing the positive channels opened up by official policy. However, in some cases in Southern European countries, the legal status achieved had been subsequently lost due to administrative burdens or unemployment.

The efforts new female migrants make towards integration are accompanied by a desire for their work to be *recognized* as being of value and themselves to be seen as *equal* members of society. Those with a legal status are struggling for the *recognition of their skills and qualifications* and a way to escape deskilling. There is rarely a demand for the recognition of cultural difference but rather a demand for equality irrespective of membership in ethnic and religious groups. Thus, new female migrants are not passive; on the contrary, they actively resist discrimination and inferior labour market positions and employ thereby a range of strategies. Acquiring legal status is a precondition for improving their situation in the labour market and in turn can enable them to utilize opportunities for training and other support and thereby succeed in entering the field of work on the basis of their own qualifications.

In sum, our analysis highlighted the main elements of the *integration dilemma in European societies*: the demand for migrant women's labour, the policies of controlling migration without effecting integration and the high integration potential of migrant women.

The following recommendations for better integration policies are directed to the goals of realizing democratic principles and safeguarding social cohesion. Moreover, they are based on an understanding of integration as a state of ability for action.

Create immigration channels in order to offer chances of legal immigration and limit informal labour markets: Future policy has to recognize the existing demand for female migrant labour in different sectors of the economy. Immigration channels should be established, and quotas should be adjusted to the real demands of the labour markets. Effective policies for formalization of work relations in the domestic sector should be intensified, for instance by strengthening the purchase power of the employing households. Moreover, there is a need to develop and generalize policies for the regularization of undocumented migrants already living and working in European countries. Southern European countries should improve their policies concerning residence and work permit renewal as these produce migrants with unstable legal status.

Re-examine policies which downsize the welfare system, such as support for the unemployed and care provisions – Decouple integration policies and control objectives: Having a legal status is an indispensable but not sufficient condition for integration. According to the interviewees with a legal status, which in some cases is equivalent to that accorded to natives, barriers and discrimination on the labour market are known to all of them. Policies that have to be strengthened are re-integration policies for the unemployed including vocational training and counselling. Policies downsizing the welfare state should be re-examined in relation to the way they promote dis-integration and counteract the goal of integration. These negative effects are due to the implicit pursuit of several contradictory objectives, whereby the aim of controlling the unemployed overrides the goal of integration. Therefore, it is most important to separate integration objectives from control objectives, both those entailed in general policies for the re-integration of the unemployed in the labour market, as well as in relation to integration policies for migrants. At the same time, the public offer of care facilities for all and particularly for migrant women should be improved in order to alleviate the difficulties migrant mothers experience in labour market participation.

Enable utilization of human capital and educational resources – offer language

courses: A large proportion of new female migrants are affected by deskilling. The failure of the EU countries to utilize the skilled labour potential of migrant women places them at a distinct disadvantage. As European economies are dependent on recruiting skilled labour, attention should be paid to these issues so that the skills of migrants are not wasted. Policy should safeguard the human capital of migrant women and should further its utilization. Long lasting integration efforts are associated with struggling to gain individual rights and access to the formal labour market. Over the course of this long phase of social and economic development, human capital of importance to European economies is being destroyed and identities often damaged. Therefore, it is important to set up infrastructures to counsel women in regard to labour market integration rights from the start, in order to avoid the onset of negative processes resulting in the destruction of resources. Language and vocational training infrastructures are needed as well as infrastructures offering supportive personal counselling. The procedures for recognition of foreign diplomas and professional qualifications should be improved.

Strengthen civil society agents: NGOs, being the most knowledgeable about this target group, offer valuable support to new female migrants and should be granted more support to work effectively.

Revaluate, formalize and professionalize domestic and care work and open options to exit the sector: In view of the fact that some migrants experience work conditions which are highly divergent from today's standards of work quality there is a pressing need to offer migrant domestic workers a legal status, accord this work with rights and recognize the work as being not only proper but also a skilled occupation. The integration of migrant domestic workers via workers' rights, legalization and professionalization touches on core issues of the welfare state and gender equality. Counteracting the gendered devaluation of domestic and care work is a precondition for creating conditions that facilitate the integration of migrant domestic workers. Most important is also freedom of choice of the work place, i.e. the need to avoid depriving migrant domestic workers the right to exit the work relation and the sector. Only through an improvement of the quality of work in care, the recognition of its professional character and the safeguarding of workers' rights there can be improvement in the integration of migrant domestic workers. Their integration is an indispensable step towards the enhancement of the quality of care in European societies and improvements in social cohesion.

Empowerment through rights for migrant women working in prostitution: Empowerment through rights can be the most effective policy towards protecting migrant women in prostitution. The analysis showed that the high risks for migrant women in prostitution can only be reduced when sex workers are de-criminalized and migrant sex workers receive a legal status, as well as health and human rights protection, and decent work as an exit option. Today, migration laws illegalize them or, in some of the countries, bind the women via entertainer visas to entertainment entrepreneurs.

Combat trafficking and safeguard human rights by empowerment through rights: Victims of trafficking should be offered sustainable offers of integration since repatriation frequently leads to new trafficking routes. Policy should also take into account that the phenomena of labour slavery and sex exploitation do not only take place while crossing borders, but also within European countries with irregular migrant women as victims. Their empowerment with rights is the most effective means of preventing them becoming an easy prey for traffickers.

THE COMPARATIVE ANALYSIS

1 Welfare Regimes, Labour Market Policies, and the Experiences of Female Migrants
Floya Anthias, Maja Cederberg, Tamsin Barber and Ron Ayres

Welfare and labour market policies and female migrants

The scope and structure of the welfare regime has a significant impact on the position of female migrants, particularly because demand for and supply of care services is structured in relation to welfare provisions (Kofman 2005). In countries where public care provision has historically been limited, and where the family/community plays a significant role in care provision (typical of Southern European countries as well as Germany), the domestic care sector is large, and an important employer of female migrants. In terms of Northern European countries, where public provision historically has been more comprehensive, changes in welfare regimes and increasing privatisation, combined with labour market de-regulation, are also opening up the domestic sector. Furthermore, former Socialist countries such as Slovenia have to a great extent inherited the gender equality policies from those times, notably entailing fairly comprehensive public childcare provision. However, in Poland public care provision has been considerably downsized. The availability, or lack, of public care provision, to a great extent determines the extent to which migrant women are able to participate in the labour market, and under what conditions they can do this.

Welfare policies are intertwined with labour market policies as the downsizing of welfare systems has been tied to privatisation and an increase in the role of the free market. Policies directed at the unemployed as well as those concerned with their re-integration into the labour market are of central importance for the integration of female migrants. These policies are fairly restricted in both Southern and Eastern European countries. However, arguably we are seeing a level of convergence throughout Europe as Northern European countries are increasingly restricting the rights and benefits of the unemployed.

The introduction of restrictions has taken place alongside an increase in elements of compulsion on those receiving employment compensation and social welfare. In France, Germany, the UK and Sweden, we see an increased emphasis put on active job seeking, in combination with restricted welfare benefits. The range of jobs that individuals are expected to take up is expanding, meaning that they have less opportunity to decline offers with reference to previous education and occupation. In France, attempts have been made to improve the efficiency of the Public Employment Service, and we have seen the introduction of personalised plans for the unemployed that are continuously followed up in order to ensure success, although elements of compulsion are central to these plans. Furthermore, parts of the work have been sub-contracted to private employment agencies. This may potentially increase the risk of discrimination, since agencies perform their own evaluations of participants (Morokvasic and Catarino 2006).

In Germany, vocational training is a main component of policies for re-integration into the labour market. Training courses may be offered by labour agency officials. However, immediate labour market integration is preferred and vocational training is omitted if direct labour market integration can take place instead. This clearly limits the job opportunities and future trajectories for female migrants, and particularly those women who have limited German language skills (Kontos et al. 2006). Moreover, there are different job schemes

which are aimed at producing 'additional' jobs for the unemployed. One example is the 'One Euro Jobs' through which welfare benefits are supplemented by a marginal increase in benefits. In the UK, the creation of additional jobs has been referred to as Intermediate Labour Markets, creating jobs in sectors such as community work (Anthias et al. 2006). Sweden has experimented with a number of such programmes. The 'Plus Jobs' programme was available to the general public, and consisted of the creation of additional jobs in different workplaces. The state would pay half the salary and the employer the other half for a period, after which the employer would take up the entire costs. The 'A Workplace Introduction' scheme was aimed at newcomers specifically, and was designed to introduce these to the Swedish labour market, with a lower level of income.

When considering unemployment benefits and policies with regards to female migrants, we need to consider that large parts of the European migrant population do not have access to these forms of support, either because of irregular status, or restricted residence permits. Concerning the case of Cyprus, the problem of unemployed migrants should theoretically not arise, since a residence permit is directly tied to a work contract. Whilst more common in Southern Europe this model is increasingly being introduced in Northern European countries through the establishment of a temporary migration regime.

Labour market structures and the position of female migrants

It is worth noting that for many migrants, particularly in Southern Europe as well as Poland, the problem is not unemployment per se, but employment in the informal sector. (See chapter 2). Female migrants are generally located in sectors of the labour market (such as the service sector) that display high levels of insecurity and instability, and primarily involve low paid, low status jobs. Notably, many women who occupy un-skilled jobs have high levels of education as well as professional backgrounds, which means that experiences of de-skilling are common, in both formal and informal labour markets.

Although the demand patterns vary between different countries, we can see a general pattern in which migrants fill gaps in the labour market left by native workers, for reasons of low status and/or low pay, as well as limited security/stability. The de-regularisation of the labour market also creates flows of migrant labour, since the many emerging jobs are of the type that cannot be filled by other means. The flexibilisation of the labour force appears to negatively impact on groups that have historically occupied the fringes of labour markets. The economic insecurities and instabilities that follow from part-time and short-term jobs have been recounted by many of the women in our cross-national sample. In the narratives, it became apparent that the broader integration project is being rendered problematic and unstable through basic socio-economic insecurities. In the narratives of women who have irregular and/or temporary migration status, this problem is also linked to migration policy and the constraints this poses for the integration process. A common solution for women in these situations is to take up additional, often undocumented, work, in order to find the means to pay their living expenses (Pajnik and Bajt 2007).

An important factor working against integration is the highly stratified nature of the labour market in which the women are incorporated, which often entails a limited ability to engage with majority society. This is partly linked to the ethnicisation of particular sectors, combined with the isolated nature of certain occupations, e.g. in the cleaning and care sectors. In some cases, ethnic networks have been enabling and empowering for women who have been able to make use of co-ethnic networks for support and advice on issues such as opening a business. However, many narratives have tended to highlight the ambivalent relationship of women to ethnic networks, and their difficulties in ethnic niche sectors. A constraint related to working in niche sectors relates to opportunities to make mainstream

contacts and speak the local language. However, while ethnic networks are of benefit for help and for the comfort of speaking your own language and so on, some interviewees point out that not all co-ethnics offer help, but on the contrary, some are hostile. They mention cases of criminality, intra-ethnic competition and conflict, such as co-ethnics reporting one another to the police or Home Office (Anthias et al. 2008).

However, it is impossible to understand current patterns without considering the relationship between labour market demands and migration policies. Restrictive migration policies combine with high labour market demands in sectors unaccounted for in labour immigration policies. These produce irregular flows, introducing yet another dimension of labour market segmentation and of inequality. Countries such as France, Germany, and the UK are facilitating the entry of highly educated migrants, whilst limiting the rights of entry of groups regarded as less 'desirable', including the less skilled, asylum seekers, and family reunification cases (Anthias et al. 2006, Kontos et al. 2006, Morokvasic and Catarino 2006). Such policies have been heavily criticised by feminist writers who emphasise the gendered effects of a selective and restrictive migration policy, referring to gender roles and divisions in both sending and receiving countries, as well as particular gendered structures of dependence. Another aspect relates to priority principles regarding countries of origin, where intra-EU migration is increasingly favoured in national policies, whilst the entry of non-EU migrants is being restricted. We also see the existence of a second layer of priority through bi-lateral agreements in some cases, such as in Portugal, where migrants from former Portuguese colonies are favoured over other non-EU migrants (Maia 2006).

Some of the women interviewed are on dependants visas: either spouse visas and/or work permits tied to a particular employment contract. This can lead to extreme vulnerability, for example when conditions of employment are poor and possibilities for changing employment are restricted, or where employment runs out before women have been able to make other plans. Narratives of dependency on partners have been particularly commonplace amongst our interviewees in Southern and Northern European countries. Interviewees in the Greek and the German samples with a residence permit directly dependent upon their husband's residence permit, i.e. deprived of a work permit, have been confined to informal jobs in the cleaning sector. These women would have the opportunity to work in jobs offering continuity and stability, if they held a work permit. Women who have been or are currently asylum seekers in the UK and Germany strongly emphasise the problems they experience through being prohibited from working.

Experiences and strategies for integration into the labour market

The relationship between structure, policy, strategy and agency is complex as we see that women's strategies are at times adopted in order to overcome the constraints posed by policies. At other times women's strategies are shaped by policies in a more positive or enabling manner (e.g. where women successfully participate in publicly provided labour market programmes or forms of training). Some women have also developed specific strategies to improve their quality of life and pursue long-term integration plans.

Women recount both positive and negative experiences of labour and public employment agencies. Some concerns have been raised in our cross-national sample about limited access to training programmes. Various factors have been recounted as posing obstacles for participating in training. One significant factor is a failure to qualify for different types of training, which is often linked to migration status, such as having only a temporary residence permit. Another reason why women have failed to qualify relates to their educational and professional profile. Indeed, certain courses that are aimed at women with lower skill levels are inaccessible for women who may have higher skill levels, but are

still unable to access suitable employment. There is also the possibility that women may not be entering training due to personal constraints and perceived barriers, such as their age and childcare commitments. However, our research indicates that we need to consider not only access to training, but also the outcomes of training measures and programmes. Some women in the UK and German samples have undertaken plenty of training, but nevertheless been unable to find a paid job in the regular labour market. However, despite frustrations, it is notable that the interviewees prefer to participate in further measures than being inactive, even though they often do not expect much from these. The social aspect of this participation is seen as important for improving their quality of life.

In Sweden, those who have encountered labour agencies narrate both positive and negative experiences. The most significant criticism concerns the felt lack of real support in finding work, which is linked to lack of resources as well as lack of personalised service. For example, some interviewees feel that they are treated as a number, not a person. They also speak about their sense of frustration being exacerbated by being compelled to look for a job. In contrast, one interviewee narrated positive experiences of some labour market programmes, and strongly emphasised the importance of the individuals in the public services that helped her access the appropriate measures.

In terms of creating labour market opportunities, a positive example is that of some interviewees in the French and German sample. These interviewees undertook professional training and 'reintegration' courses in their vocational field. The training has helped them to gradually regain their previous occupational level. The relative success of these training programmes might be partly understood in relation to their previous occupational background, and the personal desire to continue along this route. It nevertheless seems probable that these training programmes met their own specific training needs (Morokvasic and Catarino 2008). Also the role of supporting networks along the line becomes obvious.

Training needs to be combined with compensatory mechanisms. Women in both Sweden and Germany have recounted positive experiences of mentoring projects, where they are provided with a personal contact (with someone in the receiving country holding similar qualifications and professional experiences as themselves), who give them support, help and advice. The interviewees who took part in such measures have all found mentoring invaluable for improving their self-confidence, their self assertiveness, and achieving knowledge, factors that in turn lead to a greater likelihood of finding work (Anthias et al. 2008, Kontos and Sacaliuc 2008). The EU Equal programme has also created projects in which compensatory mechanisms and personalized services have been successfully practiced (See chapter 3).

Voluntary work has been a strategy used by women in order to access the labour market. This is the case for some women who wanted to enter particular sectors of the labour market, such as skilled and community work. In the UK, the Italian and the Greek samples taking the route of volunteer work is a gateway to paid employment in community work. Apart from expressing some satisfaction in achieving a paid job through volunteer work, the interviewees also express contentment with the work they do, feeling that it is something 'useful' and 'important'. Other interviewees who have entered volunteer work without having got a paid job refer to rewarding experiences they have gained, valuable from a personal point of view, such as meeting women they could relate to and making links with the majority society. There are, however, some interviewees who report limited success and who emphasise experiences of ethnic discrimination (Anthias et al. 2008).

Self-employment is a strategy that has been employed by a number of women in our cross-national sample. The route of self-employment has a range of outcomes for female migrants, and whilst some have been able to escape exclusion and achieve a better socio-economic status, others have been less successful in escaping the margins of the labour market. The factors that seem important determinants for success, or lack of it, include access

to resources, both financial and social, including the access to social networks.

In addition to the strategies recounted above, the analysis of the interviews revealed a number of ways in which women try to manage, negotiate and overcome de-skilling, and in some cases try to retrieve some of the social status they have lost through migration. These strategies include both practical measures and psychological copings strategies. Although most women put much effort into these strategies, outcomes are nevertheless varied, and some women become resigned to de-skilling.

Slowly climbing up the labour market: Women who have managed to counter the downwards mobility they have experienced in the receiving country explain how this has taken them time and patience, and involved picking up the language, knowledge, contacts, and so on. Some women spoke about a gradual pathway of climbing back up the occupational ladder in order to regain a previous level of occupation/status. This has in most cases involved a strategic use of multiple resources and forms of support. These cases demonstrate adaptability and strategic planning. Notably, acceptance of a domestic job enabled some women to manage financially during a period of initial training (Morokvasic and Catarino 2008).

Developing personal contacts and networks: Whilst networking has been used as a coping strategy for many women in our cross-national sample its use to overcome disadvantage is variable and greatly depends on the types of resources held by different networks. Another strategy has been the use of private agencies which provide an indirect step by step access to permanent employment (notably in the UK, Sweden and France). Once inside the company as a temporary worker, the interviewee had the chance to prove herself as a good worker, and had the opportunity to find a permanent job within the company.

The strategy of following demand structures: Women in countries such as Poland, Spain, Germany, and Slovenia have often followed a similar labour market trajectory regardless of their qualifications and migration status. This often entailed starting in informal sectors and moving on (either up or horizontally) once contacts and knowledge of the host society was gained. This may then take the form of finding better paid or more socially valued work in the informal sector before moving across to the formal sector, or finding a way to move horizontally into the formal sector (often combining both forms of work).

The strategy of finding more 'respectable' work: In countries where migrants are largely restricted to low skilled service sector work, many women aim at seeking particular types of low-paid work that carry more respectable status in the host society and lead to improved social mobility (and often greater access to mainstream society). For example, in Slovenia, some women recount leaving better-paid work as cabaret dancers or nightclub workers to become waitresses on lower pay. For them, waitressing is a more respectable job even though less well paid because they have a greater opportunity to meet (normal) people and potentially build proper relationships with people (Pajnik and Bajt 2007).

Giving meaning to work: A number of psychological coping strategies are employed by women in order to make sense of or justify their position, in particular the experience of de-skilling. One notable strategy is to take pride in one's work, whatever that work may be, as is the case for example with a domestic cleaner in the UK, who speaks about the 'physical' and 'real' work her job involves, or the domestic cleaner in Sweden, who emphasises the fact that she is not dependent on welfare but earns her own living (Anthias et al. 2008, Cederberg and Anthias 2008).

Constructing normality: Another common coping strategy recounted by interviewees is that of rationalising de-skilling and downwards mobility as 'normal' for migrants. Women speak of un-skilled work as a short-term sacrifice, and about keeping a long-term, patient perspective. Interviewees emphasise that you cannot expect things to be easy but may have start from scratch, and about the importance of determination and hard work (Cederberg and

Anthias 2008, Fulias-Souroulla and Trimikliniotis 2008). However, whilst some women have managed to rationalise their experiences, not all women have coped so well with downwards mobility.

Conclusions and policy recommendations

In the policy recommendations that follow we note places where structural constraints have blocked women's long-term integration process, and which need to be removed or altered. We also draw on positive examples of measures that have been successfully appropriated by women as part of the integration process, or where women's own creativity and agency have resulted in successful strategies, and use these to propose positive/enabling measures.

There is no doubt that integration into the labour market is an important factor for social integration more generally. However, it is clear that merely becoming inserted into the labour market (i.e. being economically active), whilst being a pre-requisite, is not on its own a sufficient condition for enabling social integration. The forms of that labour market insertion are crucial. Experiences of marginality, insecurity, temporary status, and extreme exploitation, all act to disadvantage, and make social integration in terms of the threefold parameters of access, participation and belonging more difficult.

A key problem is that the employment policies that are currently being implemented are not creating good conditions for long-term integration, but rather are producing a growing unstable segment of the workforce, which remains on the margins of the labour market and wider society.

Whilst focused on welfare and labour market policies, this chapter briefly considered how these interact with migration policies, since the constraints posed by the former two are exacerbated by the latter in many women's narratives. A consideration of these sets of policies in relation to one another is central to addressing many of the problems faced by female migrants in Europe. An apparent concern emerging from women's narratives as well as our previous examination and analysis of policies is in fact the limited attention being paid to such intersections. This relates to the compartmentalisation of policy/areas, and a lack of recognition of the close links between different areas and how they often counteract one another and produce structures/groups particularly prone to exploitation and other forms of vulnerability. Examples include restrictive migration policies which themselves produce irregular flows, whilst border controls and the problem of 'illegal migration/employment' are high on the agenda; and labour market policies creating demand for un-skilled, flexible labour, whilst migration policies limit legal access to those sectors of the labour market. In short, there is a need therefore for more 'joined up' policy thinking.

There is a need to adopt a rights-based approach to migrant workers, including both regular and irregular migrant workers. A rights-based approach is needed to counteract the current power of employers to exploit vulnerable migrant workers, particularly those without legal status. In addition there is a need to improve the opportunities for female migrants to pursue their labour market aspirations. This includes an increased recognition of skills and qualifications; providing increased access to forms of training and work-practice; helping women enter the labour market and/or move beyond low paid, low status and often 'ethnic' niches of the labour market; and more comprehensively addressing questions of ethnic and gender discrimination.

Integration needs to be considered using a long-term perspective. It is important to critically assess the extent to which current measures are providing the best avenues for long term as opposed to short-term integration. There is a need to include a strong emphasis on the socio-economic dimensions of integration, and consider how these provide a fundamental basis for female migrants' ability to integrate into wider society, and develop a sense of

belonging within it. At the same time, there is a need to use a variety of strategies in order to reach the most disadvantaged groups, for example by using forms of mentoring, and providing access to valuable social networks. Asylum seekers should have the right to work in countries where this is currently prohibited. The skills and qualifications held by many asylum seekers are currently being wasted. Furthermore, this negatively impacts on their social status as well as sense of belonging.

It is important to carefully assess the potential for success of different routes into employment, including training programmes, job schemes and self-employment. These are dependent on several factors, including access to support and resources (material and social). This highlights the need for compensatory mechanisms.

This discussion also highlights the need for the development of joined up policies to ensure that policies in different arenas do not counteract each other.

2 Migrant Women in Informal Sectors of the Economy
Nicos Trimikliniotis and Mihaela Fulias-Souroulla

Irregular migrants and informal labour markets in European countries

In this report we use the umbrella term 'informal' when referring both to the undocumented segments of the workforce and to atypical work in flexible labour markets that have emerged across European societies as a result of the growth of temporary and insecure employment conditions. Indicative of the way the phenomenon of work in informal sectors is regarded is the use of the term 'illegal' for labelling migrants without documentation or work permits in political discourses on illegality throughout which people are a priori criminalised. However, "this is often misleading because it conveys the idea of criminality, especially involvement with prohibited forms of work where this may not be the case" (Ayres and Barber 2006: 16). The informal sector has been particularly widespread in Southern Europe for a number of years but at the present time it is also expanding in other EU countries. According to estimations of the EC, [3] the shadow, grey or hidden economy within the EU represents between 7-16% of EU GDP. Its composition is far from homogeneous, since both nationals in EU countries and migrants are included on the one hand, and on the other both migrants with irregular and regular migration status. Official statistics indicate that substantial numbers are involved in irregular migration, with estimates for Europe ranging between 5 and 7.5 million in 2000. There is a lack of information concerning the proportion of women within irregular labour migration, as statistical estimates are not easily disaggregated by gender.

'Flexibility' and the demand for informality: labour market deregulation and welfare state regimes

Migrant women across European societies constitute one of the groups who are vulnerable to the risks of the 'flexible' labour market which make their work precarious and uncertain: the growth of temporary and insecure employment conditions as well as the growth of undocumented/irregular segments of the workforce are conditions leading very often to exploitation. Employers desiring cheap workers take advantage of the deregulation of the labour markets and welfare state regime – as has been identified in Germany, UK and Sweden. There is a specific demand for informality in sectors that encourage not only irregular migrants in need of employment, but also many informal working practices among those who have regular migration status.

Informality is the product of a number of factors nationally and globally that relate to policy regimes (national and EU) as well as migration and the international division of labour. Studies of international migration and informal labour in Europe illustrate the importance of EU policies, the system of international migration, and migration politics that generate informal globalization, post-Fordist restructurization (see Berggren et. al 2007; Hansen 2007) and "bloody subcontracting" (Schierup 2007). These lead to (partly legal) ways of using cheap migrant labour, while at the same time a changing welfare regime may increase the need for informal work to supplement income. The transitional measures on free movement for the citizens of the new EU member states in some of the EU 15 states has also led to the irregular stay and work of these migrants. For instance the flexibilization of the labour market, the reduction of non-wage labour and unemployment costs constitute main targets of the most comprehensive social policy reform in Germany since the War, which hits

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[3] Cited in Ayres and Barber, 2006: 25.

most new female migrants hard: registered part-time employment or irregular employment in marginal sectors such as domestic and cleaning work, restaurants, seasonal work in agriculture and the food processing industry (Kontos et al. 2006). The UK labour market is characterised by high flexibility in relation to other EU countries in terms of employment patterns, working hours and contractual agreements (Anthias, Cederberg and Torre 2006).

Deconstructing the demand for informal work: country estimations of the main sectors of undeclared work

Because of their migratory status, many women from countries outside the EU have limited job opportunities. The jobs open to them are mainly typical female jobs in domestic service, the entertainment and sex industry and usually these are in the informal sector. Female occupations are usually regarded as unskilled and poorly paid and this is even more so in informal employment (Ayres and Barber 2006: 31). We have also located racialisation processes and gender and/or ethnic discrimination as informal constraints producing undocumented work. Despite their regular or permanent status, many migrant women are forced into undocumented work due to negative stereotypes held by employers, who accordingly perceive certain ethnic groups as suitable only for low status and low pay jobs.

The impact of policies of control, and regularisation policies on the informal work of migrants

Challenging the commonly reproduced dichotomy between formal and informal labour markets, recent research has drawn links between these two fields. The formal labour market appears to be dependent on the informal market (Slavnic 2007, Sassen 1996). Our empirical data show the transient nature of migration status and how it is reflected in pendular/circular movements between informal (in the sense of undeclared work) and formal labour markets; especially in relation to the fluidity of legal and illegal statuses of migrant workers, both in the north and the South European countries. Here, the link between employment and the renewal of residence permits represents a continuous risk of relapse into illegality.

The current EU employment guidelines call on the Member States to transform undeclared work into regular employment, by developing and implementing actions and measures to eliminate such work. Proposed measures include a simplification of business legislation, a removal of disincentives while providing appropriate incentives in the tax and benefits system, and improved law enforcement including the application of sanctions (Trimikliniotis and Fulias-Souroulla 2006a).

It is apparent that policies put in place to prevent and combat illicit work in the EU countries under study criminalise both undeclared workers and their employers and are failing. These policies aim to enforce stricter application of regulations that restrict migrants' access to the formal labour market and do not provide for protection and empowerment with legal rights and entitlements. Important here is the interdependence between residence rights and employment rights. This can be identified as constituting a structural constraint related to and producing various forms of undocumented/informal work.

Across the European societies in our sample, policies in place for managing and controlling 'illegal' or 'irregular' migration consist mostly of (a) rigid border controls and criminalisation of related acts (imprisonment and fines); (b) checks at the workplace (penalising employers and employees); (c) establishment of bilateral agreements with selected immigration-source countries; (d) opportunities for the legalisation of the

Irregular work of migrant women by sectors and estimates of irregular migrants

	Germany	United Kingdom	France	Sweden	Spain
Economy sectors with highest concentrations of irregular female workers	Domestic work and sex industry; agriculture (mainly seasonal work) and restaurants.	Service sector with high levels of privatisation; industrial cleaning; hospitality (migrant women are more likely to work irregularly as chambermaids and cleaners).	Housework/cleaning, catering and other hospitality services, agriculture, entertainment/sex industry.	There are not sectors identified with high employment of irregular migrant women, however, an increasing segment in domestic and care work.	Seasonal agriculture, housework/cleaning, manufacturing (textiles), catering and other hospitality services, retail trade and street selling.
Estimates of irregular migrants (in millions for the year 2006)	0.5 -1.1	0.05 – 0.5	1.0	<0.01	0.5 - 1.0
Composition/ characteristics	More nationals than migrants involved in undeclared work.	Recruitment agencies having questionable practices that are exploitative towards undocumented migrants.	--	No sizeable irregular employment of migrants, except of domestic and care work	--

	Italy	Portugal	Greece	Cyprus	Slovenia	Poland
Economic sectors with highest concentrations of irregular female workers	Seasonal work in agriculture and horticulture, housework/cleaning, catering and other hospitality services.	Agriculture and horticulture, catering and hotel business, domestic work/cleaning.	Housework/cleaning sector, hotels and catering, wholesale and retail outlets, farming.	Hospitality sector (restaurants/bars and hotels), domestic work, cleaning services, agriculture, sex industry.	Irregular work by migrant women as cleaners, waitresses, kitchen aides, and seamstresses, domestic helps.	Private sector of economy: agriculture, household services, ethnic fast food business.
Estimates of irregular migrants (in millions for the year 2006)	0.57 – 1.1	0.04 -0.2	0.35 – 0.7	0.016 – 0.05	No precise figures.	0.10- 0.15 (Depending on the month the number may increase to 1.5 million people in seasonal agriculture)
Composition/ characteristics	Migrants mainly find employment in the informal economy.	The informal economy represents 22.6 % of the total economy.	Both migrants with legal and illegal migration status work irregularly.	Numerous asylum seekers and migrants with legal migration status undertake irregular work.	Migrant women with legal residence, but no right to work as asylum seekers, and marriage migrants (pending period for obtaining work permit)	More nationals working illegally.

'illegal' or potentially 'illegal' migrant (possible under certain conditions).

Examining the cases under study, our assessment is that amnesties/ regularisation programmes seem to be the most effective instruments in combating irregular immigration through the regularisation of the status of irregular labour relations. The question then is: what kind of amnesty and regularisation regimes? Control actions (immigration control mechanisms) on the other hand have been proved to have little impact on reducing irregularity.

Spain constitutes an example of a country using extraordinary regularisation processes (over a time span of 15 years) as part of wider legislative changes to migration policy, to compensate for ineffective and restrictive admission policies. Amongst positive consequences of the 2005 regularisation programme are significant improvements to labour conditions (due to enforcement of control mechanisms like inspections), the creation of migration centres to provide access to information and support and specific financial resources for migrants' integration. Under negative consequences, it is important to mention the danger of migrants falling back into an 'out of status' category because of the requirement for social security payments to be made by the employer. Also, the government's 2004 amnesty programme gave migrants the opportunity to legalize their status if they "were able to demonstrate an authentic labour relationship" (Campani et al. 2006b). The 'authentic labour relationship' that is referred to here is somewhat ambiguous and it is likely that this could exclude irregular migrant women in the domestic sector for whom it may be more difficult to demonstrate an 'authentic labour relationship'. Overall, a flexible gradual system has been adopted and implemented that allows the individual passage from an irregular to a regular situation under certain circumstances (three years of stay and work) (Chiappelli 2007). The 1990s was a decade marked by economic liberalisation and increased flexibility in the Portuguese labour market and this amplified the need for a cheap labour force. As a result, many workers were given temporary contracts. The legalisation of migrants due to demand for work in specific sectors of the economy has accompanied this transformation. The recent immigration from Eastern Europe has amplified the migrant presence in unskilled jobs (construction, industry and domestic services) (Dias et al. 2004: 11-12). When assessing the efficiency of regularisation programmes in relation to the Greek labour market, it is estimated that the declared aim of transferring employment into the formal sector was undermined by (1) the administrative practices concerning regularisation programmes and permit renewal and (2) the labour market control practices (Liapi and Vouyioukas 2006). "The process of regularization should be seen *as a continuum, a spectrum of consecutive phases* – of legality and illegality – through which migrants pass during their stay in Greece. This process can be described as *"uneven or unstable legalization"* (Liapi and Vouyioukas 2006).

Asylum regimes and informal work

Our study has identified a causal relationship between measures aimed at tightening up the asylum regime and an increase in levels of irregularity. By contrast to Southern European countries, irregular migration into Sweden is primarily connected not with the labour market but the asylum system. Through a tightening up of the asylum regime on both national and European levels, an increasing number of people have failed to be granted asylum, which in turn has affected levels of irregularity in/to the country (Cederberg and Anthias 2006c). It was found

that in Slovenia, refugees and asylum seekers often resort to undocumented work in order to cover the high costs of living as long as the former are not provided with adequate assistance (via public administration) and the latter are forbidden to seek employment for one year after lodging the asylum application (Bajt and Pajnik 2007). In Cyprus, asylum regulations allow asylum seekers access to employment in only a limited number of economic sectors such as agriculture and farming. Since many factors make these jobs unattractive for the majority of asylum seekers (such as physical difficulties for women, low payment and isolation in rural areas), the majority of asylum seekers in Cyprus undertake irregular employment (women mostly in cleaning and men in construction) (Trimikliniotis and Fulias-Souroulla 2006b, Fulias-Souroulla and Trimikliniotis 2008b).

Irregular migrant women ignored by integration and antidiscrimination policies

Anti-discrimination, equal opportunities and diversity policies have impacted on the position of regular migrant women. Nevertheless, in some countries in the sample, migrants are not specifically targeted by legislation (e.g. Poland and Slovenia). Overall, policies across the EU countries in our sample do not address irregular migrant women's situation directly and positively. The role of civil society actors can be important in dealing with discrimination issues and legislation providing for employment rights. NGOs, church associations, mainstream/migrant associations and trade unions can play a pertinent role in fighting against exploitation and supporting migrant workers. Moreover, opportunities for trade unions (or other social actors) to represent irregular workers can be pivotal in enhancing migrant worker rights as well addressing the specific issues affecting migrant women. In this sense, mainstreaming trade unions could play a major role in including and fighting for the rights of undocumented workers and their regularisation.

Policy Recommendations

These policy recommendations aim at rethinking the way policy could contribute to formalisation of migrant women working irregularly through empowering them with basic human rights and therefore providing for a new social policy approach in relation to what is broadly envisaged through the term 'integration'.

There is a need to extend rights to both atypical workers and undocumented workers. This would constitute a crucial step towards tackling deprivation, disadvantage and exploitation. Various restrictive policies aimed at restricting migrants' access to the labour market and access to public services, have a particularly disempowering effect. Legislation in this domain ought to uncouple residence rights from work rights. Also it ought to act preventively by creating effective 'exit strategies' for undocumented migrant workers via positive incentives for regularisation, access to trade union and labour rights, and in general by furthering their effective integration and full civic participation in the country of reception.

It is apparent that the labour of female migrant workers is not only essential for the economies of Europe, but the urgency for regulation and empowerment is more pressing than ever. Undocumented female migrant work is linked to a range of problems. Most important among them are health risks including the

reproductive health of migrant women and their forced separation from their families. These dangers can only be resolved by the regularisation of undocumented migrants and their immediate decriminalisation that would in turn empower NGOs and trade unions to support them properly.

As for women asylum-seekers, they ought to be granted full rights to work under the same conditions as all other workers. This would significantly reduce discrimination and the percentage of those working illegally.

Our findings point to the persistence of negative stereotypes associating the individual to her/his ethnic/cultural/national group instead of apprehending him/her as an individual (e.g. stereotypes of different ethnic groups as "flexible" and cheap labour). In this sense, it is necessary to design policies for altering negative social representations. This would include the setting up of systems for effective monitoring and involve combating discrimination at all levels: from work and employment, to education, social welfare and public life. In every one of these areas, policy needs to be based on adequate information about the whole social experience and social position of female migrants.

3 Language Skills, Educational Qualifications and Professional Skills
Maria Liapi and Anna Vouyioukas

Language skills, legal status stabilisation and positioning in the labour market

Language intersects with almost every dimension of migrant women's lives: legal status i.e. long term residence and access to nationality, access to the educational system and formal vocational training, as well as access, insertion and positioning in the labour market. Considering the role of language for accessing residence rights, there are on the one hand countries with a 'more open' approach towards language skills for proving eligibility for long-term residence (i.e. language is not a precondition) and on the other 'less open' countries where language skills are a prerequisite in order to receive long term residence. For example Cyprus, Italy, Poland, Portugal, Slovenia, Spain and Sweden adopt a 'more open' approach, while France, Germany, the UK and Greece adopt a 'less open' approach. Even though, according to Common Basic Principles 4 and 5 of the Framework for the Integration of third-country nationals in the EU[4], a host society's language is indispensable to integration, very few countries have a language learning policy targeted at migrants and even fewer make provision for integration courses. Moreover, migrant women have limited access to language courses. The only exceptions are migrant women with a study permit and *au pairs* doing domestic work who are supposed to attend language courses during their stay.

The infrastructure and provision for language courses in the countries we studied is either extremely limited (Cyprus, Greece, Poland) or insufficient (France, Italy, Portugal, Slovenia, Spain, the UK). In some countries, language policies are either reinforced for newcomers (Germany, France), restricted to specific categories of immigrants such as repatriates, refugees and asylum seekers (Poland, Slovenia) or are directed at immigrants whose ability in the country's language is below a certain level (the UK). The exception to the rule is Sweden, which has adopted a policy for free education: municipalities are responsible for putting introduction plans in place for newly arrived migrants and these are funded by the Swedish state.

The limited infrastructure of educational institutions (usually under the responsibility of local authorities) is nearly always supplemented by language courses offered by a range of NGO's (including migrants' associations). In fact, the language courses offered by NGO's prepare migrants for official language and integration courses thus functioning as a doorway to the latter. Courses offered by NGO's are easily accessed by both documented and undocumented migrants, they are frequently free of charge and flexible and they often employ mediators or trainers with a migrant background. In addition, NGO's deliver support services such as social counselling.

The absence of language skills together with lack of recognition of migrant women's qualifications and/or previous professional experience, have a negative effect on their access to and positioning within the labour market. Language and reskilling are the pylons to economic integration. Third-country migrant women however, cannot count on support from labour market integration measures to adjust to the language and professional demands of the labour

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[4] *Common Basic Principle 4:* Basic knowledge of the host society's language, history and institutions is indispensable to integration; enabling immigrants to acquire this basic knowledge is essential to successful integration. *Common Basic Principle 5:* Efforts in education are critical to preparing immigrants and particularly their descendants to be more successful and more active participants in society.

market. More often than not they are employed in informal and marginalised sectors of the economy.

Analysing the biographical interviews it becomes apparent that language knowledge is an indispensable but not sufficient condition for successful access to labour market integration measures or vocational training. Even in countries where if one speaks English it is not necessary to speak the native language in order to find employment, access and positioning in the labour market is not more favourable. Also, even when migrant women are fluent in the host country's language (e.g. migrant women from French speaking African countries in France, from PALOP[5] countries and Brazil in Portugal, from Latin American countries in Spain, ethnic Greeks from Albania in Greece), this does not necessarily safeguard their access to the labour market. Although migrant women in the countries we studied are skilled and qualified, the majority are employed in the domestic sector or at best have to work in the domestic sector before moving on to other sectors of the economy. And moving to another sector does not necessarily mean that they will never return to domestic work when unemployed, as the latter functions as a last refuge, a "safety net" (Liapi 2008).

Recognition of academic titles and accreditation of professional qualifications

The majority of the countries we studied do not have national policies targeted at supporting migrant women in order to fully utilise their skills in the labour market despite the institutional framework in place to regulate the recognition of academic titles and the certification of qualifications in the EU (e.g. Convention on the Recognition of Qualifications Concerning Higher Education in the European Region – Lisbon 1997[6], the European Qualifications Framework[7], bilateral agreements between states, etc), collaboration networks (e.g. European Network of Information Centres[8], the NARIC Network[9], etc), and national structures (National Academic Recognition Information Centres). In almost all the countries we studied migrant women have limited access to information about procedures to be followed in order to obtain recognition or accreditation and about requirements, fees, etc. What is more, accreditation procedures are time-consuming bureaucratic procedures and even EU degrees are not automatically recognised. Therefore, the numbers of migrant women who succeed in completing this process are few as they are discouraged by the difficulties or choose not to pursue the recognition of their qualifications and skills thereby remaining trapped in precarious and low-paid jobs in the (mostly informal) labour market. Another point to be considered is that the recognition of academic titles is not automatically coupled to a formal recognition of the professional competences associated with the study. Neither does recognition automatically ensure the acquisition of a license to practise a profession.

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[5] Portuguese Speaking African Countries

[6] The Convention states basic principles related to the assessment of qualifications, the recognition of qualifications giving access to higher education, recognition of periods of study and of higher education qualifications, recognition of qualifications held by refugees, displaced persons and persons in a refugee-like situation, and information on the assessment of higher education institutions and programmes.

[7] The EQF is a common European reference framework which links countries' qualifications systems together, acting as a translation device to make qualifications more readable and aiming to promote citizens' mobility between countries and to facilitate their lifelong learning.

[8] The Network is made up of the national information centres of the States party to the European Cultural Convention or the UNESCO Europe Region providing information on the recognition of foreign diplomas, degrees and other qualifications, education systems in both foreign countries and the ENIC's own country.

[9] The NARIC Network (National Academic Recognition Information Centres) is an initiative of the European Commission. It aims at improving academic recognition of diplomas and periods of study in the Member States of the EU, and the EEA countries.

Even though migrant women may be skilled, the state may have no incentive to recognize their degrees as they are employed in an unregularised sector of the economy, the domestic work sector, and have no negotiating power to exercise pressure. It is not surprising that migrant women are discouraged and do not even consider having their degree recognized or postpone the procedure indefinitely. Instead in many cases they may hide their qualifications in order to make job seeking easier, applying for low-skilled, low-paid jobs, as the demand for cheap labour is always present.

Deskilling of migrant women and reskilling policies and measures

One of the findings that came up from the biographical interviews in our research is that the majority of migrant women are employed in jobs which do not correspond to their qualifications and therefore lead to their deskilling. Interviewees from Eastern European Countries whose educational level is higher tend to be more affected by deskilling. Some of them would rather move to a low paid job with a better status (office work in travel agency for instance) than do a better paid job which is perceived as degrading (work as a domestic labourer) (Anthias et al., 2008; Liapi 2008).

National reskilling policies and programmes for unemployed and/or population groups at risk of social exclusion constitute part of the *National Action Plans for Employment* (NAPs) and *National Action Plans for Social Inclusion* (NAPs/inclusion) and refer to active labour market policies (i.e. subsidisation of employers for the creation of new jobs, subsidised vocational and training courses and subsidisation for entrepreneurship) as well as project based schemes such as coaching and mentoring. These policies and programmes are applied at a national level and funded by relevant employment authorities. A problem with national reskilling policies is that in many cases (e.g. Cyprus, Poland, Slovenia) migrants are not considered a group at risk of exclusion or a specific target group of unemployed people and therefore policies for re-entering the labour market may not provide for the organisation of vocational training programmes for core skills. On the other hand, even in cases where there is specific reference to migrants as a vulnerable group with regard to social exclusion (e.g. Greece, Italy, Spain) the measures and policies may be very limited, insufficient, vague and most importantly not produce significant outcomes with regard to social or economic integration of migrants. Very few countries promote measures designed, implemented and targeted at migrant women.

Nevertheless, apart from national reskilling policies, all EU countries implement European projects promoting labour market integration and reskilling programmes targeted in most cases – among other vulnerable groups – at migrant women. Such programmes are the Community Initiatives Equal and Integra. These programmes have undoubtedly produced good practices and innovative tools in relation to migrant integration in the European labour market and society. However, it should be pointed out that, as long as good practices are not incorporated into the main policy corpus and as long as innovative ideas are not mainstreamed, positive influence may have a limited effect on future policies.

Reskilling in the framework of integration strategies

Migrant women have developed a variety of strategies in order to overcome language barriers, find work, communicate with other migrants and build networks with the majority society. In some countries (Cyprus, Greece, UK) and for some ethnic groups (for example Filipino domestics), the English language becomes a *'lingua franca'* in the working environment. Women from the former USSR use the Russian language as a *"lingua franca"* to communicate with other migrants from East European countries and establish relationships among each other

and to overcome social isolation.

Migrant women may use their language as a professional qualification in order to be integrated in the labour market. For example, interviewees from the countries of the former USSR in Poland use the Russian language in order to find employment as teachers, interpreters and translators (Krzystek 2007), whereas in Greece interviewees from Balkan countries use their mother tongues as a job asset in the services sector (Liapi 2008).

Satisfactory language skills and mobilization of social capital deriving from connections with the natives may lead to upwards occupational mobility of migrant women, while the ethnic Germans in Germany, migrants form Brazil in Portugal, Spanish speakers from South America in Spain, in Greece ethnic Greeks from Albania, being fluent in the language have better access to reskilling processes and can therefore construct a new professional profile (Kontos et al. 2008, Morokvasic and Catarino 2008, Liapi 2008).

The majority of migrant women across the countries we studied have developed and devised self help and/or trial and error methods to learn the language of the host country, coping in this way with policy gaps and exclusion from language and/or official integration courses. The majority of domestic workers learn the language on the job adopting self-teaching methods. Children at school and in the families they work for are a 'source of knowledge' for language learning but also for acquiring further knowledge about the host country, for instance its history (Liapi 2008). For live-ins the acquisition of language is facilitated by daily contacts with employers. However, learning a *'contextual language'* used only in specific occasions and milieus (domestic work and care sector) allows only limited access to the rest of society in terms of apprehending the social and political situation in the host country, exercising their rights and participating in civic society.

Acquiring new skills and upgrading one's professional profile

Educated and qualified women in most of the countries under study are the ones that opt for job reskilling, specialisation training, retraining and vocational training, internships and further education courses. Possessing social and educational capital that can be realised as a resource, educated migrant women, mostly young ones, may be more inclined to search for, utilize and take advantage of policies allowing them to increase their access to rights, services and goods, thus increasing their capacity and autonomy of action. This group enjoy better chances for social and economic integration.

Some of our interviewees developed various strategies aimed at their *professional reorientation* (Liapi 2008; Kontos and Sacaliuc 2008; Morokvasic and Catarino 2008); *continue or repeat their studies* in order to validate their previous academic credentials (Morokvasic and Catarino 2008; Cederberg and Anthias 2008); *take training and/or retraining* (Fulias-Souroulla and Trimikliniotis 2008; Kontos and Sacaliuc 2008; Pajnik and Bajt 2007); and *attempt to build a new professional profile* through work in the voluntary sector (Morokvasic and Catarino 2008; Liapi 2008; Campani and Chiappelli 2008; Pajnik and Bajt 2007; Anthias et al., 2008). Moreover, in order to overcome difficulties migrant women may show adaptability making a strategic use of multiform supports in order to enter the labour market in their field. For example, in France migrant women attend free language courses offered by NGO's and advocacy groups together with state professional training and reintegration courses in their field and make use of active labour market measures providing subsidization for certain jobs (Morokvasic and Catarino 2008). More specifically, some of our interviewees have managed to improve their professional skills while at work or have undergone specialisation training as part of reskilling processes at the workplace; attended training in computing and accountancy, nurse pre-training and care-giver training (ibid.). However, training is most frequently below their qualifications and does not save them from performing less skilled jobs. Participation in further

education e.g. taking training in computing may be a way to deal with deskilling.

Some of our interviewees in the South European countries make efforts to construct an alternative professional profile and build a career in the social economy (Liapi 2008; Campani and Chiappelli 2008). Political participation and activism is both a process of empowerment and a social integration process. This is accomplished through participation in training, and seminars, and through the use of formal and informal networks.

Self-employment may offer a route to utilize one's qualifications and skills in the host society's labour market. However the obstacles faced by migrant women are many and such strategies should be presented as exemplary cases in order to discuss policies of fostering entrepreneurship and self-employment among migrant women (and men).

Professionalization of care and domestic work is another strategy deployed by migrant women (Morokvasic and Catarino 2008; Kontos and Sacaliuc 2008; Liapi 2008) often trapped in the (informal) domestic sector. Some of our interviewees have been attempting to professionalize care and domestic work by transferring parts of their biographical and previous professional experience to their job (Kontos and Sacaliuc 2008; Liapi 2008).

Conclusions and policy recommendations

Migrant women acquire skills through migration such as intercultural competences, multilingualism, flexibility and also on the job. The need to examine these processes for their impact on migrant women's employability, social and economic integration and to cover the policy gaps when planning and implementing reskilling measures for migrants is both evident and urgent.

Migrant women bring rich educational and/or professional backgrounds that can enrich and enhance the dynamics of host countries' labour markets; therefore this should be taken into account when implementing programmes and activities targeted at them. Moreover, different socioeconomic conditions can produce different socioeconomic problems or potentialities, reflected in the field of language/integration courses, training and reskilling measures. In this sense, programme promoters, along with migrant women and their representatives and NGO's active on migration issues should be more observant and distinguish between general problems and those specifically affecting migrant women in Europe. With this background the following sets of policy recommendations ensue:

Individualisation and contextualisation of language and integration courses should take into account the heterogeneity of demand in regard to language skills. That is, contents of language courses, projects, and training and guidance activities should be reformulated, become flexible and innovative according to the specific and general needs of migrant women beneficiaries, their educational and professional experiences, skills and qualifications, and their work situations.

With regard to educational qualifications and professional skills, a number of concrete measures are needed such as: to safeguard migrant women's equal access to information about qualifications and skills recognition, accreditation and equivalence procedures; to develop innovative methods and tools according to the European Qualifications Framework approach[10] or on the basis of accreditation of experiential/on the job learning (e.g. skills audits, skills assessment on the job, etc.); to explore how skills of migrant women such as intercultural competences, multilingualism, flexibility, mobility, etc. entailed in women's migration experience could be recognised as job relevant assets in the social economy sector and civil society.

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[10] The European Qualifications Framework recommends describing what a learner knows, understands and is able to do i.e. one's 'learning outcomes' – regardless of where a particular qualification was acquired.

Labour market measures for migrant women should be supplemented with job searching techniques and counselling about recruitment processes in the host country. Training measures and policies should be designed and implemented with the aim of enhancing migrant women's entrepreneurial skills.

NGOs are sources of knowledge and initiators of innovative approaches not only for migrant women in general but also for the most vulnerable groups among them (victims of trafficking, sex workers, asylum seekers) and can therefore be utilised as valuable resources when planning active labour market policies and (re)training measures. Supporting the activities of NGOs as well as strengthening their collaboration with policy makers enriches policy-making procedures.

4 Improving Civic Participation of Female Migrants
Mojca Pajnik and Veronika Bajt

Formal understandings of civic participation: comparative analysis of relevant laws and procedures

The acquisition of citizenship still represents the most potent measure of integration into a society, yet considerable differences exist between the states in their naturalisation procedures and citizenship criteria. With regard to political participation, the most visible divide runs between citizens and non-citizens because citizenship warrants full political and civic rights. Migrants thus have the option of abiding by the 'naturalisation policies'. In terms of granting citizenship, some states prioritise the so-called *ius sanguinis* principle of an existing blood relationship with a citizen of the state (i.e. citizenship is based on ancestry), whereas others stress the importance of birthplace (the *ius soli* principle, i.e. the territorial affiliation). There are also various combinations of the two principles, and the peculiarity of the *ius domicili* principle, which pertains to rights based on residence.

France has traditionally exhibited strong elements of the *ius soli* principle. Germany, Greece and Italy have laws that base the acquisition of citizenship predominantly on the *ius sanguinis* principle, though Germany has changed its laws in favour of complementing the ancestral standard for awarding citizenship with the so-called *ius domicili* principle. The main innovation of the German *Nationality Act*, which came in force in 2000, was to incorporate the principle of *ius soli*. The children of migrants, who were born in Germany, may now under certain conditions obtain German citizenship. In Portugal, the 1981 law replaced the *ius soli* tradition in the Portuguese citizenship legislation by the principle of *ius sanguinis*, rendering the acquisition of Portuguese nationality more difficult. Though the new 2006 law slightly reinforces the *ius soli* principle, it remains an 'in between model'. On the other hand, Greek citizenship law remains attached to the *ius sanguinis* principle. It is primarily language and religion that are considered as the determinant elements regarding the proof of Greek nationality. Also, the fees for the naturalisation application in Greece are among the highest in Europe (around 1,500 Euros).

Naturalisation and integration: defining the 'good citizen'

Naturalisation processes are usually long and complicated; migrants are required to obtain many documents, often spending significant time and money on securing their official translations. In order to become eligible for naturalisation, a set length of stay is prescribed of varying length in each country, but mostly between 5 (UK, Sweden, France, Poland, Cyprus) to 10 years (Greece, Slovenia). It is a common requirement that those applying for citizenship have to fulfil a number of additional requirements such as obtaining a police clearance certificate, and supplying proof of suitable housing, financial resources, health insurance, renunciation of former citizenship, etc. In addition, it is quite common to require proof of language proficiency and a trend can be observed towards states expecting their future citizens to pass various citizenship tests (e.g. courses on country's history and constitution, 'way of life', etc.). An important political shift has taken place in the last few years, namely towards policies related to the so-called 'war on terror', following the 9/11 attacks on the United States. The preoccupation with counter-terrorism measures has turned migration into a security issue. There is an emerging trend in certain countries to link naturalisation to proving a capacity for 'good citizenship'. UK's 2002 *Nationality, Immigration and Asylum Act* therefore includes sections on citizenship that

require of migrants a "shared sense of belonging and identity" and the need to acquire a knowledge of the language. Integration and social cohesion can be reached if those who wish to settle in Britain respect and embrace the 'values of the host country'. A number of requirements have to be fulfilled before applying, including language training and education for citizenship. According to the *Citizenship Act* of Slovenia, fluent knowledge of the Slovene language is an important condition for obtaining citizenship through naturalisation. Applicants for Italian citizenship, as well, will have to pass a test on the knowledge of Italian language according to the 2006 law. In Germany, the applicants need to declare allegiance to the free and democratic order by passing a test on the values and structure of the German society. Also, sufficient knowledge of the German language is required. In France, naturalisation depends on conditions of 'quality of life and morality'. The acceptance is conditional upon "sufficient knowledge of the French language and of the rights and responsibilities conferred by French nationality".

Dual citizenship, too, is understood as raising questions of loyalty and belonging. Many EU states therefore require the renunciation of one's first nationality as a prerequisite to naturalisation, though in more recent years the tendency has been to provide the option of dual citizenship. Ties to family members and property in the country of birth make the renunciation of the first citizenship a difficult decision. Slovenia, Poland and Germany are just some of the countries in which naturalisation also requires the renunciation of one's previous citizenship. In 2001, Sweden introduced a law concerning dual citizenship. This could be regarded as a sign that the traditional multicultural outlook of the Swedish policies remains in place.

Strategies for naturalisation and the meaning of citizenship

The high barriers to citizenship constructed by the existing laws in most countries under consideration can be circumvented through marriage to a citizen. In Italy, naturalisation through marriage requires that the applicant regularly resides in the country for 6 months and can demonstrate 3 continuous years of marriage. The new Italian legal framework, however, foresees some restrictions; the waiting time before requesting Italian citizenship has been prolonged. In Cyprus, a person who has entered into marriage with a citizen of Cyprus may submit an application after 3 years of marriage and "harmonious cohabitation with the Cypriot spouse". A foreigner marrying a French national may request French citizenship after 4 years of marriage and continuous "material and affective" cohabitation. In Slovenia, an application for naturalisation may be submitted after 1 year of residence in the country, if the marriage is of at least 2 years' duration.

Most of the migrant women's narratives demonstrate that they perceive citizenship as an almost unattainable goal. While gaining citizenship is a strategy often expected to significantly improve a migrant's possibilities, several women speak of how their predicament remained the same and how they were still unable to find a job and participate politically even after being awarded citizenship. The potential tension between women's life plans, strategies, and the actual outcomes is often related to the fact that the society continues to view and treat them as 'foreigners'. Since citizenship is often perceived as a status that will end the complicated bureaucratic procedures and put them on par with nationals and as a condition for accessing the labour market, it may not relate to migrant's formal active political engagement. The German sample is a case in point, for it shows that ethnic Germans and Jewish refugees quickly obtained German citizenship. However, these migrant women do not speak about utilising their formal rights to civic participation.

The right to vote and be elected

In 1993, the Parliamentary Assembly of the Council of Europe noted in its Recommendation 1206 on the Integration of Migrants and Community Relations that "consideration [should be] given to [the migrants'] participation in the political system". The *Convention on the Participation of Foreigners in Public Life at Local Level* was adopted by the

Council of Europe in 1992 and entered into force in 1997. Its aim is to encourage the active participation of foreign residents in the life of local communities and enhance their opportunities to participate in local public affairs. Article 6 grants foreign residents "the right to vote and to stand for election in local authority elections" once they have resided legally in a state for 5 years preceding the election. Yet member states can restrict this right to the voting right only. At the same time, however, they can also stipulate a shorter period of residence. Up until February 2008 only 13 member states had signed and 8 states had ratified the Convention. The signatories among the countries under our investigation are: Cyprus, Italy (also ratified), Slovenia, Sweden (also ratified) and the UK. The European Commission's *Common Agenda for Integration* (2005) recommends that the states should increase "civic, cultural and political participation of third-country nationals in the host society and [improve] dialogue between different groups of third-country nationals, the government and civil society to promote their active citizenship" as well as support "advisory platforms at various levels for consultation of third-country nationals" and minimise "obstacles to the use of voting rights, e.g. fees or bureaucratic requirements".

Denial of voting rights remains a practice in many states also at a local level. The only exception is elections to the European Parliament, in which all EU nationals can take part. EU nationals are also granted voting rights in local elections. Cyprus, France, Germany, Greece, Italy and Poland deny migrants local voting rights altogether, whereas, on the other hand, there are states that award migrants full voting rights in local elections – provided they fulfil certain requirements (e.g. legal residence, registration to vote, etc.). It should be noted that, for instance, in Italy the extension of the right to vote to foreign citizens is not theoretically unconstitutional, provided that the constitutional limits and the sovereignty of fundamental bodies are respected. There are a few local authorities that have passed laws institutionalising the right to vote for migrants at local elections. Cyprus has no legislative provisions for non-EU nationals to vote in municipal or other elections, even though it signed the *Convention for the Participation of Foreigners in Public Life at Local Level* in 1995. Third-country nationals remain excluded from the right to vote in municipal and other elections also in France, despite the mobilisation of migrant organisations, political parties and of collectives formed to defend this right. In Germany, the political participation of migrants from non-EU countries is restricted with respect to voting rights and eligibility for public office. Sweden, Slovenia, the United Kingdom, Portugal and Spain award voting rights to third-country nationals at the local level usually requiring a minimum duration of 5 years of legal residence. The conditions for non-EU citizens to be able to participate at local elections most commonly include legal status of a minimum duration (usually 5 years), the requirement to register in order to vote, and some states restrict enfranchisement to migrants with citizenship of particular states. The UK, Portugal and Spain only enfranchise citizens of specifically defined countries, which are considered to share a particular historical and geopolitical bond (e.g. former colonies).

The right to free assembly and the regulations enabling the formation of migrant organisations

Chapter A of the aforementioned *Convention on the Participation of Foreigners in Public Life at Local Level* stipulates that foreign residents should be granted equal rights as citizens in terms of the right to freedom of expression, and "the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of their interests". Chapter B defines the right of foreign residents to set up "consultative bodies" or make "other appropriate institutional arrangements". Furthermore, the European Convention on Human Rights explicitly mentions that "supply of major protection to migrants' right of association" should be implemented. Generally, the right to free assembly is not problematic, as migrants are granted the right to freedom of association by either states' constitutional proclamations of respect for human rights or more specific legal provisions that define the right to associate freely. Usually this is based on the condition of the migrants' legal residence permit; however, this becomes more relevant in cases of formal establishment of

associations, and joining the unions.

Several states provide for various additional levels of civic inclusion in terms of opening up channels for migrants' participation through consultative bodies or awarding them voting rights to communal councils. In some countries migrants' advisory boards are nonexistent (Poland, Slovenia, Cyprus, UK, Greece). Even where migrants' advisory boards and other consultative bodies exist, be it on local (Germany, Portugal, Sweden, France), regional (Germany) or federal level (Italy, Spain, Sweden), they remain unstable, and frequently they are not representative. They have very limited power, usually with no decision-making authority.

The European Commission calls on the importance of "building migrants' associations as sources of advice to newcomers, and including their representatives in introduction programmes as trainers and role models". Associations have long enjoyed a central position in Sweden's integration policy, which recognised their importance early on. In the UK, 'ethnic' organisations are valued not only as being important for the affirmation of ethnic identity and as a means for empowerment of migrants; they also can act as mediators between migrants and the host society. In Portugal, a legal framework protects the rights and duties of migrants and their descendants' associations. These are also officially recognised as having a right to benefit from the state's technical and financial support for their activities. Nevertheless, as a paradigmatic case of the recent politics of fear driven by the 'war on terror' dictum, many states have changed their laws in clauses that pertain to ethnic associations or migrant organisations in general. The comparative analysis of the 11 country cases shows that the majority of the migrants' associations are active in the field of culture, but also, particularly in some countries and pertaining to specific sectors, in religious groups and churches. Migrants' associations are also active in informal self-help networks, for example offering social and psychological support to members of their community and migrants in general, helping their members obtain legal representation or connect them with local human rights NGOs for assistance in various matters.

Migrant women's experiences: informal ways of practicing civic participation as a form of active citizenship

The comparative evaluation of the results of narrative interviews with migrant women, key informants and state officials points to the conclusion that the degree of civic involvement strongly depends on the migratory pattern and specific status of migrants. Circulatory, short-term migrants are much less likely to engage in civic, social and cultural initiatives. The level of civic involvement may reflect migrants' strategies and life plans, since migrants who are not attempting to settle are often more interested in saving their energy to accumulate more savings, rather than getting involved in what they perceive to be time-consuming civic activities. One should also take into account the level of civic participation in each country, especially where civic involvement is low, community engagement non-existent and people generally not prone to much political activity. Poland and Slovenia provide notable examples. In Poland, only the Vietnamese and the Armenians have established functioning associations, whereas other migrant groups do not yet enjoy any sort of representation. In Slovenia, the gap is particularly visible between the ethnic communities of migrants from Yugoslavia's successor states, who are more organised and active in various predominantly cultural associations, and the migrants from other countries of the world.

The FeMiPol project explored the issue of civic participation beyond the nation-state system, i.e. the informal networks beyond state borders, self-organisations of migrant women, and their particular strategies for coping. Civic participation is understood as much more than mere formal political engagement and community activism. Any form of activism or involvement in political and/or community work (formal or informal) has to be considered as relevant for analysing the dimension of civic participation. We regard the notion of civic participation broadly as a part of the integration process itself and what it means to the female

migrants. Civic participation involves claiming rights and actively seeking support either among co-ethnics, other migrants, the media, NGOs, etc. In their narrations, some of the interviewees developed a political discourse on the exploitation of migrants by employers and the discrimination by social officers, as well as the need to dismantle the stereotypes of migrant women. They present themselves as the mouthpiece and advocate of co-ethnic women or migrant men and women in general.

In the narratives we detected different modes of mobilisation of women: self-organisation, new social (i.e. more informal) movements of migrants, political, and religious networks. Of interest are the many religious organisations that have been built up by migrant women in order to create a social field of mutual social support and spiritual empowerment. Several of our interviewees, especially in the Italian, Greek and Cypriot samples, as well as in the German sample, have been engaging in the voluntary sector and in providing to other migrant women – not only to co-ethnics – guidance, assistance, and counselling for dealing with the administration and the hardships of life as a regular or irregular migrant. They listen to others, organise cultural evenings and language courses; they have to cope with organisation problems and manage interethnic communication. Some of them accomplished the setting up of vibrant cultural, ethnic or religious organisations for the co-ethnics and other migrant women and men. They talk enthusiastically about their political work and the connections with migrants' associations, as well as the national political elite. This activity has been experienced by the interviewees as rewarding: helping them to find enrichment while helping other people and broadening their knowledge. Many of these migrant women are well educated and with work experience in qualified jobs prior to their migration. However, in migration they are occupied mostly in the domestic care sector. Surprisingly, despite acting in the public domain, some of them do not have a legal status (especially cases in Italy and Greece).

Devoid of other alternatives in states where the level of NGO support for migrants remains low, self-organisation helps the migrants to mediate and represent their interests in contact with the administration and state mechanisms. Migrant women's self-help organisations are active in providing legal and psychological assistance, and in organising a variety of services, from language courses to vocational programmes and cultural events. Thus, the associations in general play an important role of 'filling the gaps' of the rules of law and policies, which mainly ignore the problems of women with an 'illegal' status and at risk of social exclusion. The organisational structure of migrants' associations varies, yet in most cases it remains loose and 'informal'.

The issue of self-support is closely tied to networking among migrants. Often migrant women reported that the only way to get employment was on the basis of networks of acquaintances, friends or family. Migrants' self-organisation is often tied to ethnicity and culture, which entails ambiguity regarding their ethnic involvement. Several women expressed doubts about belonging to any one particular ethnic group; some noted that they had very little, if anything, in common with their co-ethnics. Migrants' organisations that go beyond the mere ethnic and cultural affiliation are hence a much-needed force. Several migrant women stressed how important it is to have contacts with other migrants. Being a migrant is an experience that they all share, and it is a significant finding that countries where NGOs do not focus on migrant women and where none or very few migrant associations exist are in dire need of more organised activities.

Civic participation and integration prospects

Overall, the situation can be described as rather disappointing as regards civic participation of migrants, even though differences exist among the country cases and certain encouraging signs have been detected. Rather than the majority of the migrant women in our sample being actively engaged in political civic activities, they are mostly involved in ethnic, cultural associations and

religious organisations. Nevertheless, several women exhibit a strong activist engagement, and even though civic participation is here understood broadly as including the multifarious informal ways of engagement, we can conclude that formal political participation, while still uncommon, is not entirely absent from migrant women's lives in the 11 countries under study.

Civic participation provides migrant women with valuable social contacts, access to information, and an important feeling of personal achievement, which all contribute to their empowerment and better integration prospects. Whether their contribution is in active engagement with politics and migrants' rights, focused on the labour market dimension by promoting socio-economic rights of migrants and striving to improve their labour market situation, or informal self-organisation of migrants through networking and religious groups, the uniting thread of all the varied forms of civic engagement is in their ability to provide a certain purpose. This involvement allows the migrant women to regain a sense of self-determination, to enhance their social network and to develop a strategy to overcome the many difficulties they experience as migrants in a foreign country. Feelings of belonging may thus emerge, based on ethnic ties through active participation in ethnic groups and associations. Such feelings may grow out of participation in a religious community, or in connection to activist involvement based on co-workers organisation, migrant organisation, transnational networking, and political engagement with any number of focuses, ranging from feminist to trade-unionist, to migrant-specific promotion of rights.

Policy recommendations

Migrant women are currently not a target group of integration policies, a problem which needs to be acknowledged as a deficiency. Steps need to be adopted to supersede the exclusion of these women from policies. The practice of allowing full enfranchisement only via national citizenship should be superseded, while citizenship requirements should consider integration as a two-way process, opening up criteria that define migrants as 'good nationals'. A policy recommendation stemming from several of the interviews proposes better bilateral agreements or easier access to relevant documents (e.g. the possibility of electronic communication between the relevant administrative institutions). The stipulation that 'foreigners' who wish to become citizens should resign their own citizenship is also worth re-considering: a model of dual citizenship, as already in place in several countries, should be adopted in all the states.

Good practices based on local (municipal, regional) experiences from those states where civic participation of migrants through various forms of migrants' consultative bodies is already in place, should be examined and widely adopted. It is important to consider encouraging political participation of migrant women through local policy schemes. Various forms of civic participation, especially the so-called 'informal' networking and self-organisation would greatly benefit from such stimulation.

Trade unions should be more active in involving migrants, more receptive to gender issues, and should open up towards the precarious positions of 'undocumented' migrants (including those in the domestic sector and in prostitution). Policies of financial support and endorsement of activities of migrant women's organisations should be promoted. Migrant women's self-organisation and networking constitute effective means of civic participation. It is essential that policy-makers recognise the results of research, which point to the need for the meaning and significance of active civic participation of migrants to be acknowledged: this is fundamental to furthering integration and enabling migrants to become more aware of their specific problems and of ways of resolving these through their own participation and become actively involved in future policy-making processes.

5 Stabilizing Residence Rights Including Issues of Legalisation
Karolina Krzystek in cooperation with Jadwiga Maczynska

Immigration regulations, labour immigration and prospects for integration

The lack of acknowledgment of labour market demands addressing migrant workers is a main reason for the irregular labour migration and irregular work of migrant women in the countries under investigation (see also chapters 1., 2. and 6.). Western and Northern European countries offer different ways for female migrants to achieve a legal status. France, UK and Sweden allow labour immigration of specific categories of workers. However, the domestic sector in which most migrant women are employed has been rather neglected so far. Only recently has France included the domestic sector in the list of sectors in which migrants are allowed to seek employment from abroad and in Germany, the scheme for the temporary immigration of domestic workers came into force only in 2002. In contrast, Spain and Italy have an immigration policy that foresees quotas for domestic workers - among other occupations. In Cyprus, residence rights of migrant domestic workers from non-EU countries depend on work visas issued on a fixed-term basis. Poland and Slovenia have only a short history of immigration; their migration policy was strongly influenced by the Acquis Communnetaire and has created a series of *ad hoc* measures in reaction to particular needs. The development of a more coherent and internally integrated migration and integration policy is a very recent trend.

As far as regularization procedures addressing irregular migrants is concerned such programmes are practically nonexistent in Western and Northern European countries. In contrast, Southern European countries offer irregular migrants the chance to legalize their stay under specific conditions; an exception is Cyprus where there are no policies or initiatives regarding regularisation of undocumented migrant workers. However, regularization schemes in Southern European countries turn out to be ineffective and fragmentary. They might cover large groups but without stabilizing their legal status in practice. The specific needs of female migrants and the types of constraints they experience are not taken into account in the legalization mechanisms. These mechanisms often put women in a position of dependency with regard to their spouses, but also through being tied to particular jobs and employers. Concerning the procedures of renewing residence permits, especially in the South European countries, interviewees report long delays and phases of insecurity.

In order to acquire and maintain legal status, migrants need information and support. The countries we studied have a two-tier system of support structures for migrants who require information concerning their legal status: as well as officially appointed authorities there are independent entities active in this field, often based on NGOs including migrants' associations. It is important to note that undocumented migrants, for obvious reasons, do not make use of state sponsored free legal aid. Lack of legal information makes migrants particularly susceptible to exploitation and human trafficking. There is a definite shortage of organizations (and funding) for free legal assistance, including information on legalization options for which professional advice is essential. Moreover, lack of stability and consistency in the provision of services by migrant/minority organizations is an additional obstacle to making adequate support available to migrants.

Legal status alone does not of itself guarantee integration due to a lack of appropriate and adequate support structures. Also, some legal statuses constitute barriers to integration. A particularly precarious legal status is one coupled to work with a specific employer, as is the case in Slovenia and Cyprus, here applying especially to the entertainment sector and in the domestic sector. Short-term stay regulations make it impossible for female migrants to develop

long-term integration strategies. Nonetheless, illegal stay directly and negatively affects the integration process and procedures of legalization do contribute to migrants' integration, mostly by eliminating the negative effects of illegal status. The human rights of irregular migrants are rarely protected. This lack becomes apparent in the case of migrant women's health problems and the denial of access to medical services and care. Seen from the perspective of the human rights of undocumented women, the risks of vulnerability in an illegalized space have been addressed by several NGOs so far. In particular, access to medical treatment for undocumented migrants is an issue increasingly the concern of human rights activists. Especially in the Italian and the Spanish context there are examples of good practice in this field.

Family reunification and residence rights

In many EU member states, family reunification accounts for a significant, in some countries increasing share of legal migration (European Migration Network 2008). Family links are becoming a major source of status for female migrants, particularly in terms of long-term residence. Yet family-based legalization is often regarded as an 'endured' form of immigration. In a large number of marriage migration cases, marriage of convenience is alleged, often solely on the basis of formal criteria. In Germany, for instance, an age difference between the spouses could be a criterion (Frings 2005, Kontos et al. 2006). To prevent marriages of convenience, the residence status of the spouse is coupled to the maintenance of the marriage. In the UK and in Germany there is a probationary period of two years. Pending probation, the dependent's legal status is fully derivative with regards to that of the spouse and termination of the marriage results in termination of legal stay in the country. Marriage migrants suffer should they divorce within the first two years of the marriage, as this leads to a risk of losing their legal status. A French variation in this respect is the waiting period of 18 months before an authorization can be issued. A long-stay visa providing eligibility for a residence permit has to be claimed from abroad. In order to combat forced marriages some of the countries have introduced a minimum age for the sponsor and the immigrating spouse, e.g. in Germany this was set at 18 in 2007. There is also an obligation of the immigrating spouse to prove elementary language competence. In some of the countries, the third-country sponsor has to prove sufficient accommodation, income and health insurance, and that they are in no way reliant on social benefits. The right to work of the immigrating spouse is in some of the countries suspended for the first 2 years (European Migration Network 2008).

The family model that shapes policy for immigration of family members is the most traditional, whereas for the natives there is a progressive family policy. The institution of the family is changing and multiple types of families are recognized (eg. patchwork, same-sex faimilies). However, policy pushes immigrants to conform to the most traditional type, reducing the recognition of a family to biological criteria; for instance, genetic tests as proof of filiation were introduced recently in France. Cohabitation and other types of partnership are not recognized.

Concerning the impact on social integration of the sway of the contingent residence permit and the suspension of the right to employment during the first years of stay, our interviewees stressed their need to get a paid job during this period and that under these conditions, they had to take on informal work because they could not work formally. Others reported the dilemma of enduring domestic violence in order not to jeopardize their residence permit.

Strategies for legalizing the residence status

As invoked in the interviews, most women seek the stabilization of their stay and adopt different strategies to this end. In spite of the structural and legal specificities of each country under investigation, certain patterns of shift between legal statuses can be identified. Entering the country as a student or within the 'au pair' scheme has proved to be a widespread strategy of young migrant women interviewees for stabilizing their residence rights for a period of time, especially in the countries in North and Eastern Europe. However, the shift to a normal legal status, for instance after the expiration of an au pair visa, appears to be difficult. Another strategy adopted by women in order to obtain a more stable residence status is self-employment. Even though the procedures may be time consuming and complicated, this way of stabilizing the residence right is practiced, especially in Poland, Germany and Greece.

A further strategy is marriage with a native or a migrant with residence rights. In our samples, some of the migrant women without legal status or with a temporary legal status, such as victims of trafficking and asylum seekers, had received a residence permit in this way. It is, however, important to stress that although consideration of residence rights played some role in the decision to get married, these marriages cannot be considered as marriages of convenience, as their sole purpose was not just to enjoy the right of the free movement and residence. Moreover, it is worth noting that most of our interviewees who legalized their stay through marriage were able to find their way out of the informal labour market and move into formal employment. However, the process of integration of women whose legal statuses are dependent on those of their husbands tends to be hampered by both their specific lack of stability and security, and the limited access to the labour market granted to migrants generally.

Protection-based legalisation and residence

EU has made significant steps in unifying/harmonising the system of granting international protection within its territory. A major form of international protection is refugee status (asylum), granted to individuals who are outside their country of origin and cannot return there owing to well-founded fears of persecution for reasons of race, nationality, religion, membership of a particular social group or political opinion. Those granted refugee status are provided with a travel document, so that they are not prevented by their country of origin from obtaining one. Refugee status is accompanied by a number of rights, including residence, personal and property rights, as vested in the Refugee Convention (*Geneva Convention of 1952 Relating to the Status of Refugees*). The Refugee Convention was drafted in the context of post-war reality, but together with the accompanying New York Protocol of 1967 remains the basis of the global asylum systems, with a current total number of 147 signatories of either or both instruments (as of November 2007). One of the fundamental rights vested in the Refugee Convention is the *non-refoulment* principle, prohibiting expulsion or deportation of a refugee to a country where their life or freedom might be endangered. Legalization is guaranteed also to beneficiaries of the subsidiary forms of protection, rooted either in EU legislation or national regulations. Those forms of protection are granted without a time limit, yet the accompanying permit of stay does not usually exceed two-years and is renewable, which is a way to enforce re-examination of the need for prolonged protection.

In some of the countries under consideration, especially Germany and the UK, gender specific persecution has been recognized as a ground for receiving asylum. Women prevail among applicants for international protection (both asylum and subsidiary forms of protection in EU). Although general legalization rights conferred upon beneficiaries of refugee status and other forms of protection do not differ between men and women, the shape of the refugee status determination procedure in most countries might place female applicants at a disadvantage. This

is due to the prevailing mode of promoting joint applications for spouses who arrive together. Often it results in an inferior position of the woman in the subsequent procedure, as she is deemed to share the husband's situation and therefore share his status in a derivative way regarding both positive and negative decisions.

Policy recommendations

In order to improve integration processes, there is a need to reconsider the legal frameworks which produce irregular migrants and migrants with statuses without rights, as for instance the status of asylum seekers. As there is a labour market demand for female migrants' labour, adequate channels of labour immigration should be created. The coupling of residence and work permits to one employer should be abandoned in order to enable the migrant women to exit exploitative and abusing work relations without risking the loss of their residence rights.

There is a need to address the policies of family unification taking into account the particular needs of women. Due to the high level of dependency created by tying the women's residence rights to those of her husband during the probationary period the risk of gender-related domestic violence, and the overall vulnerability of the female spouses, needs to be addressed by the policymakers. There is a need to introduce legal mechanisms protecting foreign spouses in cases of violence and abuse. It is important to create a legal way of issuing temporary residence permits for the pre-marriage trial/accommodation period. The question of providing migrant women with independent residence permits not limited to private and family life is of utmost importance here.

There is a need for simplification, transparency and shortening of official procedures affecting migrant women concerning the granting of residence and work permits or asylum. Also, policy should focus on reducing delays and waiting times throughout the administrative procedures to acquire, shift or renew legal status, as these delays condemn the migrants to times of insecurity and restricted freedom of movement. Transparency and access to information concerning legal status issues, the legalization procedures and regularisation actions for undocumented immigrants, should be guaranteed.

The prevailing mode of promoting joint applications for asylum for spouses who arrive together should be changed. Often this results in an inferior position for the woman in the subsequent procedure, as she is deemed to share the husband's situation and therefore share his status in a derivative way. Most important is the acknowledgement of the role of work in the integration processes of asylum seekers and facilitating their access to the formal labour market.

6 Migrant Domestic and Care Workers
Maria Kontos, Kyoko Shinozaki, Mirjana Morokvasic, Christine Catarino and Agnieszka Satola

The domestic and care work sector is far from being homogeneous. In fact, domestic and care work varies significantly in terms of work content (cleaning, housekeeping, care for old, child care), work arrangements (live-in, live-out, single or multiple employers, service agencies) work premises (work at one's own home, other people's homes and in nursing homes) and underlying legislation (au pair programmes of cultural exchange, labour legislation). Domestic work can be merely a stepping-stone to entering the country and later shifting to other employment or study, i.e. either a transitional and short-lived experience (often parallel to other work or training) or a long-term work experience. The overall lack of recognition pertaining to work in this sector is a significant factor undermining the self-esteem of domestic and care workers, most of who experienced dramatic de-skilling when entering care and domestic work.

The emergence of migrant domestic and care work in European societies

There are no reliable statistics available, but ample evidence suggests that the demand for domestic and care work has been increasing throughout Europe and informal work arrangements represent a large proportion of the labour markets.

Migrant domestic and care workers in European countries

	Italy	France	Germany	UK	Greece	Cyprus	Sweden
Formal employment	746,000 non-migrant and migrant domestic and care workers (2006)	263,000 dw* (2002); 1.6 million persons directly employed (2006)	50,000 households hiring part-time dw; 6,940 households employed migrant dw through the domestic help scheme (2004-07)	14,300-100,000 (estimates)	200,000 migrant care and domestic workers (estimates)	35,000 migrant domestic and care workers	
Informal employment	600,000 irregular migrants in domestic and care sector		2 million undeclared dw; 80,000-100,000 households employing full-time caregivers (both estimates)				93,000 households hiring cleaners in 1996 (estimates)

* dw: domestic workers

Sources: Italy: Chiappelli et al. (2006), Di Federico (2008); France: DARES (2004), Marbot et al. (2008); Germany: Jaerling (2004), Communications with the Bundesagentur für Arbeit April 2008, Schupp (2005); UK: Kofman et al. (2005), Cox and Watt (2002); Greece: Kapsalis (2006); Cyprus: Silikiotis (2009); Sweden: Lister et al. 2007.

Demographic and labour market specificity, welfare policies as well as the evolution of intergenerational obligations determine different levels of demand for foreign domestic workers and caregivers within EU countries. Under the 'Nordic social care regime' and in France, women's paid employment and public childcare and care for the elderly are promoted. On the other hand, in the 'Southern European family care regime', women's employment rates are relatively low and public childcare facilities and nursing homes for the elderly are rarely available (Anttonen and Sipilä 1996). Germany, the UK and the Netherlands traditionally fall in-between and here pre-school childcare is considered to be a family matter. Thus it is no coincidence that mothers tend to work part-time in these countries. Nonetheless, these 'regime'-based distinctions are less clear-cut in reality. More women are now gainfully employed across different European countries, and these states have slowly begun to enhance care policies for children and the elderly, with the exception of Eastern Europe, which has been witnessing the opposite trend, public care services having been significantly eroded (Lister et al. 2007).

State regulations

European states attempt to regulate the labour markets for domestic and care work by adopting a series of legal measures. We have identified five different clusters of regulations as outlined below.

Formalization efforts

Given that paid domestic and care work often goes undeclared, a few countries have made efforts to formalize this work. France's tax deduction and facilitated employment procedure entailing a service cheque and the establishment of service agencies have contributed to a gradual absorption of undeclared work in these sectors (Morokvasic and Catarino 2006). In Germany, tax incentives and a simplification of the otherwise complicated procedure of hiring a worker by way of a household cheque have, in contrast, met with little success, mainly because the costs of formalized domestic work exceed the limited capacity of households to afford domestic help (Lutz 2007b, Lutz 2008a, Kontos, Haferburg and Sacaliuc 2006). In Sweden a pro-subsidy argument was pushed through in July 2007 (Cederberg forthcoming). In addition, its labour market policy, combined with welfare policy, works to place many migrant women with a regular migration status in the state-run welfare service sector and in positions in home care (Lister et al. 2007). Families who hire caregivers receive direct cash payments in the UK and Italy and tax credits in Spain and the UK (Williams and Gavanas 2008).

Arrangement 'in advance'

Germany and Cyprus are the only countries in our study that currently recruit migrant domestic workers through official channels. Germany's "domestic helpers" scheme, in force since 2002, enables households with an elderly or disabled person to employ a domestic worker (but not a caregiver, it should be noted) from some of the new EU member countries and other CEE countries (Bundesagentur für Arbeit 2007) for a period of up to three years with full social security contributions. Although the number of employer households has more than doubled in over a period of five years, the scale of employment is moderate (Kontos and Shinozaki forthcoming). Cyprus recruits domestic and care workers from Third Countries, mainly from the Philippines, Sri Lanka and India, under a temporary visa regime for a maximum period of four years. Double income couples with young children and households with a person in need of care fulfil the eligibility criteria for hiring help. This clearly shows that migrant care and domestic work are conceived as a 'solution' to the reconciliation of work and family without substantially

changing the gendered division of labour.

In Poland and France domestic and care work is a sector in which migrant women from abroad are now officially allowed to seek employment. Poland attempts to regulate labour migration from Russia, Ukraine and Belarus through a special visa programme for short-term work in domestic services and some other sectors. France began to promote selective labour mobility in 2006 with an immigration law according to which citizens of the new EU member states and third-country nationals are allowed to enter officially identified labour shortage sectors. Care work and housecleaning are among the 150 occupations thus classified open only to new EU-members citizens.

Without prior arrangement: the freedom of movement and an 'open door' policy

The UK and Sweden are the two countries in this study that, from the outset, have not imposed any restrictions on labour mobility from the new EU member states. This has opened up opportunities for citizens of the new member states, enabling women from an enlarged Europe to circulate or migrate to 'old' EU countries in order to work in the domestic and care sector. However, neither the UK nor Sweden has a special recruitment scheme for domestic and care workers. Nonetheless, in the UK, Third Country nationals may accompany their non-British employers as domestic helps. There is a range of different kinds of visas available to acquire a status enabling the take up a job in this sector (Anderson and Rogaly 2005).

Belated arrangement: regularization

It is mainly but not exclusively Southern European countries that may regularize the irregular residence status of migrant domestic and care workers at some later date instead of having an official recruitment scheme in operation. Thus, amnesty has been functioning as a *de facto* immigration policy for the last two decades in Italy, Greece, Spain as well as Portugal (Anthias and Lazaridis 2000, Campani, Chiappelli, Cabral and Manetti 2006a). However, such forms of regularization are not restricted to Southern European countries. For instance, Poland carried out regularization programmes in 2003 and 2007 (Krzystek 2008). Besides massive regularizations in its past migration history (in 1982-83, 1997), France carried out gradual regularizations in sectors known for labour shortage. And in Italy and Spain, following periodic amnesties, quota systems have been used to regularize the status of irregular migrants already working in the country (Campani et al. 2006a, Campani et al. 2006b).

Cultural exchange as labour migration: au pairs in Northern and Western Europe

Apart from channels involving labour mobility, our research found that the 'cultural exchange' au pair programme has been instrumentalized for labour immigration in the area of childcare and domestic work in Western and Northern Europe.

Illegality and the issue of skills

Despite the diversity of the policies outlined above, illegality and the skills issue are two themes that recur across different national policies. The domestic and care sector is by and large filled with irregular migrants engaged in informal employment. The reasons are: firstly, that there is a gap between the actual demand for this kind of work and the state's assumptions about what work can be accessed (i.e. domestic work or care work) or the type of workers allowed to do the job (i.e. nationals, immigrants or newly recruited migrants, etc). Secondly, the informality of work can be linked to the expense of formalization processes. Thirdly, migrants can become irregular if they do not know about their obligation to report employment to the authorities, as in the UK. Regularization of migrants in Southern Europe is certainly a promising instrument but a significant number of regularized migrants tend to 'fall back' to irregular status (Campani et al.

2006a, Liapi 2008). This is due to their difficulties in fulfilling the conditions applying to the renewal of work permits and to the problem of unpaid social security contributions by employers. For these reasons, regularization tends to create unstable, provisional legality rather than an enduring solution.

Official discourses seldom acknowledge care and domestic workers as 'real' workers. Legal texts and recruitment schemes label them as 'helpers' and 'assistants', revealing also assumptions about their work as being low skilled (Morokvasic 2007). Language competence and occupational qualifications are rarely required in nursing, childcare, senior care, and housekeeping. However, the ability to communicate as well as other skills are in fact essential to these occupations. There have been efforts to professionalize domestic and care workers – both migrants and non-migrants – as service providers, as witnessed in France. In Germany too, considerable efforts have recently been made to establish care work as a profession through state certification, which however mainly targets German citizens as well as foreign citizens with a stable residence permit.

Biographical analysis: experiences of inclusion and exclusion and strategies for integration

The project investigated migrant women's experiences and their strategies for integration that are embedded in specific policy contexts. We highlight the role their work plays in their life course as well as in achieving occupational and social mobility.

Responses to migration policies

One common strategy that migrant women from new EU member states adopt is shuttle migration and a system of rotation. This way, migrant women can secure employment but avoid illegality while reconciling a continuation of family life with labour migration. However, as migration/mobility practices become prolonged, the instrumental nature of mobility may alter in favour of a longer stay or even settling and forming a family with the responsibilities of care this entails. In addition, younger women have devised strategies such as entering the au pair programme, enrolling at a language course or university as well as marrying a local man. Self-employment is another strategy.

Different work arrangements

Both live-in and live-out arrangements are to be found in the domestic and care sector. A live-in arrangement can be used as an entry point to access the labour market. Live-in arrangements constitute the blurred boundary between work and private life, in both space and time. Constant availability and isolation from the wider society while living and working for the same family, adversely affected the physical and psychological wellbeing of the migrant women in the study. Thus, in order to regain privacy and autonomy, the majority did move out as soon as they were able to. But live-out arrangements necessitate having many employers. The drawback is a very tight work schedule causing severe time pressure.

Dependency and lack of rights

A high level of dependency on the employer is created if a residence and work permit is tied to a specific employer as in Cyprus, the UK[11] and Slovenia. In Greece, in contrast, the dependency on an employer is not as pronounced. Migrant domestic and care workers, irrespective of their legal status and work arrangement, are confronted with violation of rights as workers and human beings. In all the countries studied, there are cases of non-payment of overtime and employment. The lack of a formal work contract, in conjunction with the irregular stay of many of the domestic workers, makes it fairly easy for employers to dispose of their

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[11] Those entering the country accompanying their non-British employers.

employees at their convenience. However, even where domestic workers had a contract, contract breaches committed by employers were rife. Another issue was a serious lack of information caused by the reluctance or incapacity on behalf of social service officers to provide adequate information about relevant rules. Moreover, the difficult position of domestic workers has been aggravated by a lack of opportunities to learn the language of the country. These factors, together with the inherent hierarchy between employer and migrant worker, limit migrant women's ability to negotiate over their interests and rights. Yet, the narrations show that migrants make concerted efforts to develop strategies to pursue their interests.

Interviewees experienced devaluation of their work, humiliation, downward occupational mobility and being suspected of theft. Some had been confronted with disrespect from children and adults. Migrant women may be equated with prostitutes, a widespread stereotype that facilitates sexual harassment. There seems, however, to be a north–south gap in exposure to disrespectful attitudes. Experiences of humiliation are reported less often by interviewees in the UK, French, German and Swedish samples. Indeed, some of the interviewees in these samples gave a positive meaning to their work as they considered their work essential for their employers and regarded their economic activities in the labour market as evidence of self-reliance. Others derived pride from identification with their influential employers.

Care work, the issue of skills and control
Care of the elderly is a complex and demanding task as it also involves looking after non self-sufficient seniors who may suffer from various kinds of physical or mental disabilities. While this type of work requires professional care skills as well as social and communicative competence, migrant workers in care of the elderly are often exposed to demanding situations without the possibility to receive adequate training and professional skills. This can be aggravated by the withdrawal of the co-caring relatives/employers from care of the patient leading to distress in a number of cases and exacerbating the potential for conflict at the workplace. In the narratives we found two strategies for coping with these problems. One strategy was to exit from care work. The other strategy was a kind of 'self-made' professionalization: the migrants drew on their own experiences of care in the past or knowledge acquired in other settings and applied these to their current work. On the whole, migrant women tend to regard taking on full responsibility for childcare as less stressful than care of the elderly. In Southern European countries, migrant childminders tended to experience constant control from mothers, presumably because the latter often doubted the quality of care. In addition, different styles of raising, educating and disciplining children between the mother/parent and the migrant worker became a source of conflict.

Strategies of exit
We have identified different forms of exit as summarized below.
- *Exit from a work relation while remaining in the domestic and care sector*
  C*hanging an employer* is a common way to improve working conditions. *Changing from live-in to live-out* is a strategy to regain autonomy in life, which re-establishes the boundaries between work and privacy. *Self-employment* may be a step towards professionalization.
- *Exit to other informal sectors of the economy*
  Some migrant women moved out of the domestic and care sector and entered industrial cleaning, manufacturing, the tourism industry or prostitution.
- *Exit with upward social mobility*
  Some of the interviewees found work which they were qualified for. For upward social mobility outside the domestic and care sector, a legal residence status is a precondition. We found more examples of this category in the Western and Northern European countries than in the Southern and Eastern European countries.

Self-employment in other sectors of the labour market is an option primarily open to those with access to familial or local networks and other relevant resources.

The role of familial, co-ethnic, multi-ethnic and local networks: sociability and support

Families may lend invaluable emotional and financial support in migrants' everyday lives. Although family unification is a basic right[12] influencing social integration, the temporary nature of their residence permits does not allow migrant domestic and care workers to practice this right. In addition, the migrants' work and housing conditions as well as the lack of childcare facilities leave little space for family unification in practice. Some interviewees, both regular and irregular, could realize partial family unification when their adult daughters also migrated to work in the domestic and care sector (partial family reunion on the basis of intergenerational chain labour migration).

The role of ethnic networks is paramount in coping with life in migration: obtaining moral support and sociability, getting a new job, exiting the live-in situation and finding alternative jobs and housing. Mutual and moral support unburdens stressful work with elderly patients, and partially makes up for non-existent professional support. Some of our interviewees joined or initiated collective actions based on a common religious faith or ethnicity. Giving meaning to life in migration, religious practices are important for maintaining a capacity for action, and finding an inner balance. Assuming leadership in an ethnic or religious community promotes social processes involving a gain in prestige and respect, not only in the intra-ethnic but also in the trans-ethnic community, which may compensate for social downward mobility. However, there is also ambivalence towards ethnic networks and communities, especially if they serve as a barrier to intensifying connections with the majority population and utilizing opportunities for upward social mobility.

One channel for gaining admittance to the majority population's networks is marriage with a citizen of the country of residence. The chance of entering other labour market sectors seems to be considerably increased by such a marriage. Moreover, the employer may play an important role in migrant women's networks. S/he can provide an important source of help in integration, give information and guidance in utilizing resources, help with language problems, legalize and help with finding work outside the domestic and care sector. However, even a 'good employer' does not always respect the rights of his/her employee.

Integration on the margins of society, concerns about life in old age

Diverse constraints and exclusions discussed above notwithstanding, migrant women do develop multiple integration strategies. They may initiate processes of making home, they may start to integrate into ethnic communities and broader local structures. This may lead some migrant women to change their orientation towards return to the country of origin, and temporary/circular migration may be abandoned. However, return is a plan for the future for most of them. Moreover, they are quite concerned about their income in old age. Women from CEE report that their pensions are rather low due to the long period of unemployment which followed the breakdown of the socialist economies. They are therefore eager to work formally in order to document their contributions to social insurance funds. Women from Third Countries are concerned about the transfer of pension rights to their countries of origin. Some of them invest part of their earnings into businesses in their countries of origin, seeing this move as a form of social security and their life back home as that of a self-employed person.

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[12] See the European Convention for the Protection of Human Rights and Fundamental Freedoms and the Charter of Fundamental Rights of the European Union.

Policy recommendations

Policies for domestic and care workers' rights:
In order to achieve social integration beyond marginal integration, there is a need for policies which secure decent work, defined by workers' rights and adequate payment. Trade unions can be a useful liaison partner in this respect. Policymakers and citizens of host society must recognize domestic and care work as proper work. In addition, domestic and care work, which is often carried out off the books, has to be formalized. Employers should become aware of their obligations and duties towards their employees, of the existing rights of workers and the procedures for formal employment. Policies must facilitate migrant women's capacity for action, for example by means of offering stable residence status as well as a route for acquiring citizenship of the country of residence.

Policies for revaluation and formalization of domestic and care work
Complex and multilevel problems and conflicts arise at the workplace through gendered devaluation of demanding domestic and care work. These problems can only be solved through the *revaluation and formalization of domestic and care* work. Such policies would improve the quality of care, would help to create better working relationships in the domestic and care sector, and would in turn bring about an advantage not only to the migrant worker, but also to the people who are cared for and their families. However, the revaluation of domestic and care work is only possible if these services are made affordable to those households needing them.

Professionalization of domestic and care work
Along with revaluation and formalization, there is a need to implement training courses for the development of skills in care of the elderly, childcare and domestic work. Such courses should also foster the capacity to reflect on the complex situation at work as well as the frictions that may arise. Professionalization in childcare brings the issue of cultural differences in childrearing to the fore. Priority should be given to empowering migrant domestic and care workers *to negotiate care and child raising practices*. Professionalization also means making available the tools for negotiating contracts and work conditions compatible, as a minimal objective, with the rights that the migrant women have, and enhance them. A precondition here is access to *information* and *language courses*.

Professionalization policies have to take into account the wide variety of tasks involved in domestic and care work. Different kinds of tasks require *different professionalization strategies and concepts*. Service agencies in France providing domestic workers with employment and organizing the provision of services to households can be a model for professionalization. However, the interviewees offered evidence that such agencies could also exploit migrant women. Therefore, professionalization in this sector should include self-organization among domestic and care workers. This means that conditions should be created for greater entrepreneurial activity and the setting up of cooperatives of migrant women.

Creating adequate channels for regular immigration
Migration policy should recognize the labour market demand for migrant domestic and care workers and offer channels of labour migration. There is a need for all EU countries to grant the *right to free movement* to migrants from new EU member states and legalize third-country nationals. National policies aiming to replace third-country nationals with migrants from new member states will not be sustainable in the long run.

Our research made clear that the model of temporary migration into the domestic sector practised in Cyprus and in Germany, and which is policy on paper in Poland, is not compatible with the openness of biographical orientations. Moreover, care requires continuity and thus the termination of a care relationship due to the expiration of residence and work permits does not

consider the needs of the employing families either.

Under current conditions, the domestic sector is often the only sector, besides the sex industry, open to migrant women, especially those who are undocumented. Our analysis showed that while some women make attempts to negotiate better working conditions on their own, many would like to exit the sector. Thus, one dimension of the integration of migrant women is their capability to move into other sectors of the labour market. Therefore, while domestic work may constitute a reason for admission in the first place, residence rights should neither be bound to the domestic sector – as is the case in temporary migration schemes – nor to the employer.

A precondition of integration is also the possibility of achieving family unification. The right of family reunification of migrants should be realized. Parallel to the need for legalization, there should be appropriate social services, especially in terms of health and reproductive health and schooling of children. These services must be made accessible to undocumented domestic and care workers.

Policies for giving security to ageing carers
Social rights such as pension rights should be made transferrable between the countries where migrant domestic workers have worked and their country of origin, eg. through bilateral agreements or a binding international convention. More research is needed on the future care needs of aging migrant carers.

7 Prostitution and Entertainment: Policies and Migrant Women's Experiences

Mirjana Morokvasic, Christine Catarino, Maria Kontos, Ana-Violeta Sacaliuc and Minna Ruokonen-Engler

In line with recent scholarly writings on prostitution we wanted to go beyond ideological debates and dichotomous views of this issue. In one view, prostitution tends to be considered as a quintessential form of male violence against women and a form of sexual exploitation, as advocated by radical feminism and abolitionists. In an alternative view, it is considered to be a labour market issue – sex-work being equated with any other work, as propounded by liberal feminism and regulationists. The objectives of this study were to highlight the impact of public policies on prostitution and entertainment practices and to record and analyse the variety of actual experiences of migrant women who practice prostitution and entertainment as an income generating activity.

Legislating prostitution and entertainment

France, Portugal, Italy, Spain, Slovenia, UK are usually placed in the camp of 'abolitionists', with prohibitionist overtones as in France (See Platvoet 2007) where prostitution is tolerated but not recognized as a profession. Prostitutes nevertheless have to declare their revenues for tax purposes. The French penal code punishes procuring and at the same time penalizes public soliciting. To coerce someone into prostitution is also against the law- as in all other countries in our study. The UK has enforced laws against curbcrawling and is considering the implementation of even more restrictive legislation. "Zero tolerance for outdoor prostitution" means that prostitution is kept indoors in mini-brothels. Thus legislation protects the public sphere by treating the community as the victim of prostitution rather than the women themselves.

Germany, Greece and Sweden depart in various points from the abolitionist pattern: the German Prostitutionsgesetz of January 2002 is mostly interpreted as legalizing prostitution. Here, efforts are being made for a broader policy to create exit routes for sex workers. In Greece the certification of prostitutes (including migrants) is part of the patriarchal control of commercial sex activities. Sweden is the only country which penalizes the demand and decriminalizes the sex workers. Prostitution may also exist in disguised forms like escort agencies, massage parlours, nightclubs or cabarets as is the case in Poland and Cyprus.

National policies towards migrants in the sex industry differ considerably. The specific issue of female migrants in prostitution is practically ignored in most national legislations but appears in relation to legal restrictions.

The German law which regulates prostitution and recognizes it as a profession excludes per se a significant number of migrant women, namely those who are undocumented and cannot benefit from declaring their occupation; if caught by the police they risk being deported as undocumented immigrants rather than as prostitutes. In Cyprus, the law virtually threatens migrant women with deportation if practicing prostitution. Spain allows access to health services for those in possession of a 'house accreditation', a kind of a brothel ID. In Poland, prostitution is widely practiced in escort agencies or massage parlours where work permits are required. Migrant prostitutes have neither social security benefits nor health insurance; therefore, East European prostitutes in the border areas make use of health services in their own countries to which they have access. Legislation in most European countries foresees short term residence

permits for those identified as 'victims' of sexual exploitation. The conditions under which it can be applied are seldom met and in practice in most countries of our sample undocumented female migrants live under threat of being deported. This perpetual insecurity in turn amplifies the risk of trafficking and exploitation of female migrants involved in commercial sex.

Repressive legislation on prostitution, but even more so the legislation on security and on immigration may exacerbate risks and have a deleterious effect on the situation of immigrant women. A general prohibition of prostitution and particularly of brothels does not bring about the disappearance of the phenomenon but, on the contrary, aggravates the situation of women sex workers by exposing them to risks of violence in the streets and/or in hidden and remote establishments. The results of restrictions targeted specifically at public prostitution are similar. In France, the Law on Internal Security of March 2003 modified the penal code and transformed the infraction of soliciting into a criminal offence. Passive solicitation is also an offence[13]. The law primarily targets the proletariat of sex workers and essentially penalizes the women and men who practice street prostitution who are thus forced into invisible indoor premises and/or to offer their services in remote and isolated city areas. These sex-workers, who actually run a greater risk of ill treatment by clients and procurers, are easily overlooked by prostitute support organizations. They are often coerced into providing dangerous or unprotected services at reduced fees that in turn worsens their economic situation (Mathieu 2005, 2007; Morokvasic and Catarino 2006). This de facto criminalization has an even more serious impact on foreign prostitutes, who can have their residence permit revoked the moment they are brought up on charges for the offence of solicitation.

Foreign prostitutes are also affected in the context where legislation regulates prostitution. The German Law of 2002 bypasses foreigners, many of whom are undocumented at some point of their stay. Because they fear being deported, they are likely to be found in apartments and remote places rather than in brothels where they are employed if legalized. Moreover, the abolition of the mandatory periodic health check by the same Law has had a disempowering effect on female migrants in prostitution, especially on undocumented ones. It eliminated the sometimes unique possibility of contact with public agencies. In a way, it has actually contributed to the empowerment of the pimps since they no longer have to fear control by a third party.

In Cyprus, where prostitution of immigrants is prohibited, such migrants tend to enter the country via 'artist visas' and, as such, can be subjected to coercion and trafficking, as the evidence gathered from fieldwork in Cyprus suggests (Fulias-Souroulla and Trimikliniotis 2008).

The EU countries do not issue work permits for migrant women for the purpose of prostitution (with the exception Austria, beyond the scope of this study). It is possible, though, that women who enter an EU country with a work permit for artists and entertainers at some point work in prostitution. This practice is widespread in Cyprus and Greece. In Cyprus, such work permits are limited to three months and are renewable; they do allow for a change of employer but only after one month of work. However, a change of occupation is not allowed. In this way, the legal provisions may prevent migrant women from escaping from adverse working conditions even when these are abusive and unacceptable. Here, we can speak of situations of great dependence potentially close to some forms of trafficking (Trimikliniotis and Demetriou 2007). In Slovenia, nightclub dancers and strippers also enter the country with work contracts which tie them to their employers who, in turn, arrange their papers and accommodation and attend to their regular payments (Pajnik and Bajt 2007).

Despite the legalization of prostitution in Germany since 2002, the employment administration inspects the potential misuse of entertainment visas for the recruitment of third

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[13] Henceforth, whoever practices "the act, by any means, even including by passive attitude, to publicly solicit others in order to incite sexual relations in exchange for remuneration or promise of remuneration (...)" risks two months in prison and a fine of 3750 Euros.

country prostitutes. This is because the legalization of prostitution does not imply an obligation for the public administration to actively support employment in prostitution (Beschäftigungsverordnung 2007: 39).

A highly segmented and ethnicized sector

In many countries only a minority of prostitutes work on the streets. And yet, the focus in much of academic writing has been on street prostitution which is often equated with prostitution. The widespread occurrence of indoor prostitution – escorting, brothels, bars, massage parlours – is thus overlooked. In reality, commercial sex-work is a highly class-stratified occupation and segmented between indoor and street prostitution whereby: "…street prostitutes occupy the lowest stratum and receive the strongest dose of stigma.…Street prostitution is stratified by race, gender, age, appearance, income, and locale – all of which shape workers' daily experience" (Weitzer 2005: 215-216). This stratification of prostitution has implications for working conditions, self-esteem and psychological adjustment. In the adult entertainment industry different forms of business can be distinguished: prostitution in the traditional sense, strippers, call or internet girls, porn actresses, etc. Each of these activities is characterized by a particular organizational structure and corresponding working conditions which, in turn, create specific hierarchies in various countries according to a variety of criteria. Among these, nationality and residence status seem to be the most significant.

Research evidence from France suggests micro-geographies of prostitution and depicts it as a localised urban phenomenon. In Paris, nationality – or more precisely, the language spoken – delineates such ethnicized territories: in the North of the city for example, people from Kosovo generally do not mix with Russians or Romanians. And neither do the English speaking and the French speaking African women. "In each prostitution place, competition and solidarity determine spatial segmentations between 'established' and 'recent', French and foreign, drug addicts and non-drug addicts" (Redoutey 2005: 53).

Female migrants engaged in commercial sex activities are mostly positioned at the bottom of the hierarchy either *within* or *between* sectors. A significant manifestation of the ethnic division of labour within street prostitution in France is the relegation of recently arrived or illegal prostitutes to distant geographic locations (Deschamps 2006). In Poland, local prostitutes are found in indoor establishments while female migrants from other East European countries (mainly Russia, Ukraine and Bulgaria) line the border routes. In Slovenia**,** respondents distinguished night club or 'bar prostitution' from prostitution organized in private apartments ('flat prostitution'). 'Bar prostitution' would mainly involve women migrating from countries like Russia, Ukraine, Belarus, Romania, Hungary, the Balkans and South America, while 'flat prostitution', in contrast, would typically involve 'local women' (Bajt and Pajnik 2007: 28). The stratification is also noticeable *among foreigners themselves*. In Italy and Portugal, African female migrants selling sex are predominantly involved in street prostitution, whereas Brazilian women in Portugal work in bars and apartments. Undocumented female migrants involved in these activities are generally found in remote places and indoors, trying to avoid police controls.

In France, the division between the 'established' and foreign prostitutes is detectable in collective practices such as symbolic exclusions, the spreading of rumours and the utterance of insults (Deschamps 2006). The reputation of violence attributed by the 'established' prostitutes to the new pimps coming from East European countries and above all from China serves the same purpose. The aim is to convince the public authorities of the necessity of eliminating young competitors from the market on account of the violence they allegedly suffer. Rumours of violence are thus transformed into a protection shield in the face of new migration flows. According to Catherine Deschamps, prostitution is a market where the discourse of victimization and the discrediting of others is a means of creating competitive advantages.

Entry and practice: blurred lines and contrasting conditions

The lack of other work options largely influences entry into prostitution. Prostitutes and entertainers in our sample come from the Ukraine, Romania, Brazil, Argentina, Thailand, China and Nigeria. Prostitution is a gate of entry to the EU for those who have no other means of access. Most of the interviewees in Germany, Poland and Italy entered prostitution after migrating and went into commercial sex out of economic need. Women also entered prostitution due to their position/status in the family and their responsibilities towards their family: they already had or were assigned the breadwinner role in the context of specific family constellations - as a single mother or the eldest daughter.

Women either entered the country autonomously or relied on a smuggler or, exceptionally, on a trafficker and went into prostitution to repay their debt. Some of the women engaged in prostitution practiced already commercial sex more or less occasionally in their home countries or on their trajectory across several EU countries. Others practice prostitution in the frame of circulation/shuttle migration made possible by the geographical proximity between European countries.

Entry into prostitution can be a result of shifting occupations or a cumulation of several activities. In Poland, Ukrainian women entered prostitution after having worked in agriculture. Some of the migrant women entered prostitution after having worked in the domestic sector for a while. The reasons for this shifting were low earnings as well as discrimination and adverse experiences suffered at the work place. Entry barriers to these sectors are low, no specific credentials are required, and migrant women have access to networks in both domestic service and commercial sex sectors.

'Significant others', predominantly other sex workers, facilitate these women's entry as well as their remaining in prostitution. They facilitate the initiation/socialization/learning process either in the country of origin or during migration. The main argument put forward to legitimize prostitution was economic need. From this point of view, despite inner resistance, work in prostitution appears to have been a personal choice: for the economic rewards, the love of close family members and responsibility for their wellbeing. Although lines are often blurred within the commercial sex sector, conditions of work differ from one activity to another and between different forms of indoor and street prostitution. In Germany, the sex workers who legalized their status through marriage talked about their working conditions under the new law and the 'closed nature' of their life in the brothel. The brothel certainly imposes rigid rules of living on its inmates, appearing to function as a "total institution" (Goffman 1961). Contact to the outside world is primarily through the customers. It is also a place where it is impossible to 'make home', to enjoy privacy or even to organize the basic functions of everyday life, like preparing one's own food. Without personal dependence on a pimp (the interviewees were self-employed, renting a room in the brothel), the brothel is presented as a 'service agency' with a gendered division of labour between men organizing the venue to offer sexual services and women offering these services. High rents absorb a considerable part of the earnings.

Whereas in the brothels mechanisms exist to cope with violence, street prostitutes are more likely to be at risk facing violent clients and have to rely on self-defence. The main survival strategy used by these women is anticipatory self-protection, namely evaluating their potential customers and accepting a date only when they assess the customer as being nonviolent, a kind of intuitive assessment of the customer (Williamson and Folaron 2001: 470; Pryen 2002). The Ukrainian interviewees working in Poland reported use of alcohol as an escapist means and as a source of courage to keep on with this kind of work.

Coping with stigmatization

Most of the interviewees articulated the emotional burden related to working in prostitution. "Ugly" or "not normal" are expressions that emerged from the narratives. Getting "accustomed" to it implies the process of learning to suppress one's own emotional needs successfully.

Stigmatization as 'easy women' or 'prostitutes' extends beyond the situation of women practicing prostitution or engaged in entertainment. Female migrants often face stigmatization within their own community, in particular if they are or have been migrating on their own. Sexualized and ethnicized stereotypes are selectively applied to women from certain areas in the world (Nigeria, Brazil, EEC) whatever their occupation. Entertainers and sex worker may be stigmatized even after leaving the occupation.

Sex workers seem to suffer from the social discourse on prostitution which depicts them as persons who have lost their soul and the integrity of their bodies. In line with the evidence from other research (Pryen 2002), this has more to do with the stigma of having to sell themselves than with their relationship to their clients. Therefore, establishing boundaries between private life and professional activity is one of the defence strategies they develop. While emphasizing prostitution as a professional activity, they impose a range of norms meant to preserve the body's integrity (imposing the use of condoms, prohibiting kissing on the mouth and restricting sexual services to some parts of the body only). They also use false identities and change their appearance (using make-up and dressing differently) (Pryen 2002; Chaumont 2003). Defence strategies and self-presentation also entail a counter construction of a 'less professional' profile, by distinguishing oneself from other sex workers and condemning them for what they do. Chinese sex workers in France tend to construct a moral self image in contrast to others who want 'easy money'. Furthermore, the presentation of own sex work activity as provisional makes the conduct perceived as a transgression of strict norms easier to tolerate.

But using no make-up and remaining inconspicuous and simply "walking down the streets"[14] may also be a way of trying to remain as invisible as possible in order to avoid being identified as a prostitute by the police. Self-representation as a nonprofessional may be related to an unstable legal situation and to stricter legislation.

Interviewees in the entertainment sector in Slovenia claimed to have known about the nature of their work as stipulated in their work contracts. Some of them had to face different kinds of boundary violations, witnessing that these women 'walk very close to the edge' in terms of sex work. Ex-dancers in Slovenian night-clubs from Ukraine and South America noted that even while *merely dancing* in such places, they experienced being 'treated as commodified bodies': dancing not being considered an artistic activity but as 'improper work' and customers were more interested in looking at dancers' legs than appreciating their dance. This prompted them to look for another job (waitressing). These aspects explain why women need psycho-spatial boundaries to protect them. One consists of setting "personal rules that define the amount of sexual and emotional contact they are willing to have with customers" and thus contributes to "maintaining a self-perception of respectability" (Barton 2007: 581). The interviewees working as entertainers or as waitresses in nightclubs refused to be touched and to have sexual relations with customers.

These women also complained about their stigmatization as dancers by the whole society. Foreign women working in bars were overwhelmingly considered as prostitutes. They

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[14] Chinese prostitutes are sometimes labelled "*les marcheuses de Belleville*" meaning "women walking down in the Belleville area in Paris": « Les marcheuses de Belleville », Report by Yvan Cerieix, Patricia Wong, Eleonore Maneglier, Capa, broadcast on French TV, 2006.

are indeed sometimes under pressure by their employers or clients to strip or to get involved in causal prostitution. Therefore, yet another strategy consists in 'othering', that is distancing oneself from the negative stereotypes attributed to peers. 'Othering' strategies employed by some of our interviewees might have an impact on their civic participation and solidarity. According to Barton, applied to dancers it "inhibits an individual from recognizing the oppression exotic dancers share in common, hinders collective resistance, and thus, potentially exacerbates the toll of stripping. Although it is not a dancer's responsibility to change public opinion about strippers or collectively unite to improve dancers' working conditions, these are goals that, if met, have the potential to greatly improve the quality of dancers' lives" (Barton 2007: 592).

In and out of prostitution and entertainment activities

Our respondents who wanted to exit prostitution in France and in Italy had denounced their pimps and/or had been identified as victims of trafficking. In Germany, some also exited prostitution after having been identified as a victim of trafficking. Other women among our interviewees were still permanently or occasionally involved in prostitution, shifting for instance to seasonal prostitution (working only on holidays). The financial incentives (possibility of fast earning) are factors which keep them in the job: "What you earn in several months I can earn in one evening".

In Slovenia, night-club dancers may eventually shift to jobs as waitresses in day bars, which are, incidentally, often owned by their original employers. Neither dancing in night-clubs nor waitressing requires particular qualifications and hence seems to be more easily accessible to female migrants who are young and lack significant work experience (Pajnik and Bajt 2007: 21-22). This transition may be experienced by the women as a positive change, for they dislike night work as it is exhausting and prevents them from having a 'normal" life' (day work). But they remain tied to the same employer, at least initially, because of their temporary residence permits and current employment regulations which link work permits to specific employers rather than allowing free movement of migrants between jobs and employers.

Another exit door for women who have practiced prostitution is marriage as in the case of dancers in clubs in Cyprus, Germany and in Slovenia. In such cases, work in the entertainment industry coupled with marriage represents a stepping-stone towards finding work in another sector of the labour market.

Policy Recommendations

The FeMiPol project developed a biographical approach to the integration processes affecting female migrants and to evaluating and recommending policies for improving their integration. This approach obliges us to take seriously the agency of migrant women involved in prostitution. A variety of forms of prostitution/sex related activities and work conditions have been observed. Access to a legal status and residency is a central issue and represents the first step towards exit. But, prostitutes and women whose work is based on sex trade are seldom considered as *economic* and *autonomous* migrants. They are granted a residence permit either through the status of victims; or tied to a family member's situation.
We suggest a multiplicity of policies that would do justice to the different needs of these women in the different phases of their biographies: the economic needs that motivate these women to enter prostitution – the multiple economic and social reasons for remaining in prostitution, especially the high earnings which cannot be gained elsewhere – and the emotional needs resulting from the experience of selling their bodies and the suffering caused by stigmatization.
Policies should therefore be multilayered, addressing both the root causes and aiming to

improve the conditions of those who practice prostitution activities in all their variety.

Repressive and restrictive policies, in particular those concerned with entry and residence of foreigners as well as the criminalization of certain activities, contribute to illegalization and to restricting access to alternative job opportunities. These policies result in a deterioration of the conditions under which commercial sex activities are practiced. Soliciting should be decriminalized.

Legalization of undocumented migrant women practicing prostitution should be accompanied by measures that guarantee personal security and provide long term residence and viable alternatives to those who wish to exit the sector. Residency should not be subjected to conditions such as witnessing against traffickers or procurers. Alternative means of access to legal status other than recognition as a 'victim' or as a dependent immigrant should be made available.

Entertainers' work permits should not be tied to specific employers, so as to enable mobility and free choice both of employer and employment.

Stigmatization of night club dancers, strippers and prostitutes which stimulates the process of 'othering' must be deconstructed and combated. This would enhance women's mobilization in favour of their own rights.

Accompanying services, counselling, health centres and NGOs should receive political and financial support rather than having to face hostile attitudes and harassment by local authorities, as is sometimes the case.

There is a need to create advisory centres offering information and counselling on legal status, health protection, AIDS prevention, etc. Leaflets in different languages with vital information against exploitation, contact addresses and telephone numbers for assistance or emergency should be widely available at NGO premises and various other public places including airports, international bus and railway stations and red-light districts.

For those who wish to exit prostitution, alternative options should be offered through counselling and training programs towards jobs which ensure a viable alternative.

8 Trafficking and Female Migration
Giovanna Campani and Tiziana Chiappelli

European policies against trafficking and the question of victims' protection

The European Union has defined trafficking in human beings for the purpose of labour or sexual exploitation in Article 1 of the European Union Council Framework Decision of July 19th, 2002 on Combating Trafficking in Human Beings. The Member States must punish any form of recruitment, transportation, transfer or harboring of a person who has been deprived of his/her fundamental rights. The victim's consent is irrelevant where the offender's conduct is of a nature which would constitute exploitation within the meaning of the proposal i.e. involving the use of coercion, force or threats, including abduction; the use of deceit or fraud; the abuse of authority or influence or the exercise of pressure; the offer of payment.

In 2000, the United Nations elaborated a legal definition of trafficking and smuggling, contained in the two Protocols supplementing the UN Convention against Organized Crime: *the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children* and *the Protocol against the Smuggling of Migrants by Land, Sea and Air.* This definition was presented in Palermo, in December 2000 and entered into force in 2005 [15]. The Palermo Protocol takes a different approach to that contained in the 1949 Convention, which focused only on prostitution and considered all prostitution, voluntary and forced, to be trafficking. The Palermo Protocol recognises the existence of *voluntary prostitution* and *forced prostitution*. The EU member states signed the Palermo Protocol (Resolution 55/25 of November 2000).

According to the IOM, trafficking is established "*when a migrant is involved in an illicit way (kidnapped, sold or simply recruited) and/or is transported, either within a country, or to a third country. Traffickers benefit from it, at some stage of the process are involved, in an economic or any other manner, by fraud, coercion and/or other forms of exploitation, under conditions which violate the fundamental individual rights of the migrants*" (IOM, 2002). IOM also distinguishes between trafficking and smuggling, the latter meaning the provision for material advantage of illegal entrance in a state to a person who is neither a national nor a permanent resident. Finally, the International Labour Organization (ILO, 2001) has especially worked on trafficking for forced labour. The ILO has defined the *features* for the identification of forced labour through two basic elements: the work or service is exacted under the *menace of a penalty* and it is *undertaken involuntarily*. These two elements are entailed in a very large range of conditions/situations.

All these definitions focus on the criminal aspects of trafficking and the human rights issue concerning the victims. These two dimensions are of course extremely important, but they are not sufficient to explain the phenomenon. In the last ten years, interesting macro socio-political and socio-economic analyses have tried to link trafficking to the changes produced by *globalization* in the international migratory context. There is a contradiction between global markets of consumerism and services, on one hand, and a work force which is still 'bordered' by restrictive migratory policies implemented by the rich countries against migrants from poor countries on the other hand. This tension could account for the pressure leading to irregular migration and ultimately to smuggling and trafficking. Scholars suggest that trafficking is fueled by restrictive migratory policies. Many persons voluntarily migrate but – blocked by restrictive

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[15] United Nations – General Assembly (2000) UN Convention against Transnational Organised Crime, A/RES/55/25, Palermo, Italy.

policies – end up being trafficked. Less restrictive migratory policies would reduce trafficking (Ruggiero 1997, Munck, 2008).

In spite of this situation, the European Union and the European States continue to deal with trafficking in human beings as a criminal action, linked to other illicit activities such as extortion, conspiracy, money laundering, corruption, fraud, and bribery of public officials. As for the issue of the victims, little or no concessions have been made for their protection in so far as these might signify abandoning the restrictive migratory policies. European policies addressing the destiny of the victims seem to be strongly geared toward repatriation, regardless of the conditions they might find in their countries of origin, and seem more worried about 'fake' victims invoking trafficking as grounds to stay in the country. In the British government's consultation paper on human trafficking (January 2006), we can see the recounting of a commonly used argument in the UK's broader immigration agenda in relation to the possibility of an automatic reflection period for victims of trafficking: *Implementing such provisions might act as a 'pull' factor to the UK.*" (Home Office 2006a: 17-18). This shows that trafficked women are not perceived by policy makers as victims; on the contrary, they are conceived as illegal immigrants.

EU directives (Council Directive 95/46/EC, Council Directive 2001/51/EC, Council Directive 2002/90/EC, Council Directive 2004/81/EC) do not locate their policies against trafficking within the framework of global migratory policies but rather in terms of prosecution of traffickers and assistance to victims. The implementation of these directives has been even more restrictive in the majority of the EU countries, the protection of the victims being, in any case, less developed than the repressive aspect.

Concerning the protection of the victims, only trafficked women who are willing to testify in court may obtain a residence permit. Like France, Germany too gives victims of trafficking a short stay permit for the purpose of testifying in court. During this period, victims may receive permission to take up a specific job. In any case, family reunion is not possible and the law does not provide for the stabilization of the residence status as it is assumed to be of only a temporary nature. Therefore, victims of trafficking have no claim for integration assistance and participation in integration courses. In accordance with the EU Directive[16], a free legal adviser and translator may be claimed. However, a conflict with the EU Directive arises concerning the level of benefits received: benefits are granted according to the Asylum Seekers Benefits Law assuming a low standard of needs, due to the temporary stay and assumed lack of need for integration. On the contrary, the EU Directive aims at both social and economic integration even for a short period, so as to enable the full cooperation of the victim with the authorities.

In this context, National Police Corps in European countries generally have primary responsibility for all issues pertaining to trafficking which they approach as a problem of crime, prostitution and irregular migration. They pay little attention to issues of human rights violation and the needs of the trafficked persons. Only a few police national schools gave courses on trafficking issues, such as the recognition of forged documents and the best ways to identify traffickers and victims. These courses however do not seem to be very effective: as an expert declared in the case of the UK, even if the agreements between Police and NGOs offer support to victims of trafficking in principle, still the actual behavior of officers is rude and the women are strongly stigmatized. In Italy, good practice can be found in programmes and projects dedicated to training courses for policemen on protection and assistance for victims of trafficking. A serious lack of infrastructure for the protection of victims is witnessed in Greece, Cyprus, Slovenia Poland, and Portugal.

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[16] Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities

The specificity of the Italian legislation

Italy introduced a human rights' violation approach, and has implemented a rather innovative legal instrument aimed at fighting trafficking: the article 18 of Immigration Law Decree no. 286 of 1998. This Law combines the special residence permit with social protection programmes providing specific services for rehabilitation and reintegration of trafficked persons. Although other countries do grant a temporary permit to victims who report traffickers to the police, only Italy offers a permit regardless of whether the person has entered the country legally and regardless of the victim's testimony. In addition to this temporary permit, victims are integrated into a social protection programme. The temporary permit lasts six months and can be renewed for an additional year, or alternatively can be converted into a work or study permit. In some cases it could last longer, especially if a judicial procedure is initiated against the traffickers or if, in the mean time, the person has found a job or a study programme. Another key point is the activation of social, medical and psychological assistance and integration programmes for the victims. However, the data on the permits given demonstrate that, in practice, only women who decided to denounce the traffickers have a real chance of obtaining the conversion of the short-term permit into a long-term stay permit. Trafficked persons are also offered the alternative of going back to their homelands through assisted return programmes coordinated by the Ministry of Interior in collaboration with the International Organisation for Migrations (IOM).

Motives and experiences of the identified victims of trafficking and their expectations for integration

The project findings demonstrate that there are a variety of trajectories among the trafficked women, according to the countries of origin and the migratory routes. In our sample nine interviewees are trafficked women; they come from Nigeria, Guinea, Latvia, Lithuania, Bulgaria and Rumania, and they live in five European countries (Italy, France, Germany, Cyprus and the UK). Trafficked women come to Europe as part of a migratory movement characterized by an increase in the autonomous migration of women. Their trajectories can be read in terms of gender specific motivations to migrate and in economic terms of supply and demand.

The victims of trafficking from Latvia and Lithuania, both in their early 20's, decided to emigrate under the pressure of an accumulation of problems: poverty, alcohol abuse, violent environment, school drop out, no plans for the future. Both came in contact with the traffickers through people in their social environment at a moment when they were searching for a way to get out of the drugs scene and escape the passivity prescribed by lack of perspectives. They were offered transport to Germany and to work as prostitutes. Both stressed that it was their own decision and that they were not aware of the risks. In Germany, they were then exposed to harsh conditions of coercion and violence.

The women from Nigeria in Italy and France, on the other hand, had to leave their country because they came in conflict with the normative expectations of their families. The woman from Guinea in the UK had to leave her country at a time of political conflict. All of them came in contact with people who promised to bring them to Europe. They were not informed that in the country of destination they would be forced into prostitution. All victims suffered coercion and violence.

In our samples there are also three cases of enslavement of migrant women initiated within the country of destination. Trafficking, understood as enslavement of human beings, was in these cases not related to crossing borders; nevertheless, it constitutes enslavement of vulnerable migrant women without a regular residence status whose ensuing lack of access to information and support puts them in a weak position. They become dependent on the help and support of others who may misuse this dependency. Enslavement was possible as the women

asked for mediation for a job, and the perpetrators took the opportunity to either force them into prostitution or to perform other work under most exploitative conditions, robbing them of their documents, imprisoning them, and violating them sexually.

Once the women have managed to escape the influence of the traffickers, the legal context of the receiving country plays an important role for their further life. A residence permit is in fact the main factor giving women a certain security and stability following their dramatic experience of violence and exploitation; good social services and trained personnel, shelters and support play a crucial role in helping the women to overcome the past and get a new start. We can see the importance of article 18 of the Italian Immigration Law and the legal possibilities it offers in the life story of the Nigerian interviewee. She decided to ask for help when the traffickers threatened to beat up her son. She received help from a recovery centre for immigrant women specializing in trafficking problems. She then became involved in a long-term protection programme including training courses for labour re-integration and housing support. Having received a residence permit she finally found a family who employed her in domestic work.

We can see also the possibilities that article 18 offers to women who might not have been trafficked into the country, but have been victims of sexual exploitation nonetheless. Two Brazilian interviewees came to Italy on their own: they finally found access to employment only in sex work leading to exploitation by pimps. The women are now trying to ask for protection within the framework of article 18 and thus to legalize their stay. In France too, interviewees stressed the role of denouncing a pimp in order to become recognised as a victim of trafficking and receive a temporary residence permit.

The analysis of the interviews makes clear that the differences between legislative frameworks have a huge impact on the fragile lives of the victims. Victims of trafficking for the most part have no regular migration status. In most EU countries, when the police identify them, they are deported as irregular migrants. Only if they decide to cooperate with the police and testify in court against the traffickers may they obtain short-term residence permits. This residence permit lasts only for the duration of the court procedures. During the transition from being under the influence of the traffickers and getting freed of it, the role of the police is crucial. However, encounters with the police seem to have been traumatic in most of the cases. Our interviewee in the UK spoke of a dehumanizing experience, where she felt she was treated like a criminal rather than a victim. The period of interrogation proved to be very intensive and she experienced a total heartlessness towards the fact that she was a victim who had suffered physical and psychological trauma.

The turning point for the victims seems to be making contact with the women's counselling centres with which the police liaise on the basis of special cooperation agreements in some of the countries. Being under the protection of the women's organizations allows escape from dependence on traffickers. The organizations offer a protected space, solidarity and protection that the victims need to recover and reorganize their lives. The identified victims of trafficking we interviewed in Italy, Germany, and France came under the protection of the women's shelters and received a temporary residence permit; they were able to start a training programme in order to enhance their skills and enter jobs outside the sex sector. They were eager to integrate in the labour market, as had been their wish prior to migration. Repatriation was not a perspective for them. Even if they became a victim of trafficking, they had a migratory project; they had not been kidnapped and brought by force into the country.

In the biographical interviews of the Cypriot and the Slovenian samples there were references to experiences of trafficking among migrant women who work in nightclubs or cabarets. According to Cypriot governmental estimates, more than 1,000 foreign women (mostly from the former socialist countries) arrive every six months in the country to work as 'artistes' in cabarets and presumably a large proportion of them are forced to prostitution. Local entertainment entrepreneurs recruit the women abroad. An entertainment visa binds the woman to the entrepreneur who has applied for her temporary residence permit. She is not allowed to

change employer and this forces her to comply with the entrepreneur's requests to consent to sex with the customers. Thus, migration law favours the employers who sexually exploit the women. Furthermore, the officially organized unions of cabaret owners and 'artiste agents' have succeeded in blocking any proposed regulatory changes to their industry. It is apparent that entertainment visas (in cases in which they bind the women to the employers) end up being used as an instrument to force women into prostitution (Fulias-Souroulla and Trimikliniotis 2008).

Conclusions and Recommendations

The biographical interviews show the very important role of NGOs in the system of protection; they represent places that women can contact and find safety. The presence of NGOs in the streets – giving information to prostitutes – can help women who have been victims of trafficking and want to get out. On the contrary, the rude behaviour of the police certainly doesn't encourage the victims to develop trust towards the authorities of the host country. Consequently we suggest the following policies:

A more integrated and coherent policy on migration at EU level that opens official immigration channels should be elaborated. Moreover, there should be options for the victims of trafficking to remain in the country if they wish to do so.

Awareness should be raised amongst the police forces (and magistrates) about the issue of trafficking in human beings, which is not only and not mainly a criminal problem (to be repressed).

More precise rules should be formulated for the protection of victims of trafficking taking into account the tools developed by Italian Law against trafficking.

Information campaigns should be implemented to address the clients and potential clients of the sex markets.

Flyers containing information on support possibilities should be obligatory, especially in transport agencies and particularly in Eastern European countries. Also social street workers should be placed at important arrival/entry points for detecting cases of helpless migrants.

Entertainment visas should be controlled and they should not bind the women to the employers.

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