

EMPLOYMENT POLICIES AND MIGRATION IN GLOBAL FLOWS

Harun Tahiri

University of Tetova, Faculty of Economics, Macedonia

Abstract

Migrations are one of the oldest phenomena of human society. People constantly moved from one place to another for a better life, more prosperous, to a richer country, with one word to have a better life. Freedom of movement and aspirations for a better life is a human right. Today's crisis of migration is not an Albanian or Balkan phenomenon this is more than that, that's why this problem needs to be managed with great care. Migration is already transformed into a global phenomenon, which in one form or another affects all countries worldwide. So, it is a global complex process. The impact and dimensions are important both in individual and social terms. As it usually happens to this type of phenomena, at the same time it has been developed a normative corpus for a better regulation and management of migration, both at international, regional and national level.

Keywords: emigration, migration, poverty, politics, economics, law, remittances, development etc.

Introduction

The topics of migration, employment policies and workers' rights, although not a new phenomenon, it is at the attention of all parts of the world. For a qualitative analysis of this issue, a multidimensional approach is needed, but through this work I will approach the aspect of immigration policies as well as rights and obligations as well as mutual relations between states and in the global aspect. All countries have adopted in their constitutions, special laws and regulations on migrant employment policies as well as the rights and obligations of employees as well as the rights and restrictions of employers. Economic and social security is an important aspect of human security. Employment policies and workers' rights provide adequate working conditions, but also protect against discrimination and exploitation at the workplace. Unemployment and the denial of trade unions are a tendency to create unrest and thus create insecurity and instability in society. For these reasons, promoting or pushing standards for working conditions without exploitation is a condition for improvement of human security. From migration theory and empirical research, it is understood that international migration is influenced by a whole set of factors, complex and often mutually connected and conditioned, where on one side are push factors (repulsive) and on the other side pull factors (attractive). The general scheme of determinants of these

migrations in both directions can be summarized in economic, political, historical, religious, racial, classical nature etc.

- Reasons for migration are numerous, including socio-economic reason, poverty, unemployment, domestic violence, discrimination, life insecurity, corruption in public administration, malfunctioning of justice, low justice standards, in some countries violation of human rights. It is known that people migrate when in their countries are poor, conflicted, unemployment and lack of necessary financial resources. But in the circumstances of the opening up of the world, there are other individual-psychological causes, such as search of luck in foreign countries, especially of young people, the desire to get familiar with foreign countries and to travel to Western countries, dreams and hopes for a better life, then various family motives, adventurers etc. Migrations for these motives are the peculiarities of all underdeveloped and developed countries, of the people of isolated countries in the physical, social, and cultural spheres (mostly former communist countries), and people of countries already open for a longer time.

The complexity of international migration

Large differences in economic, cultural, income per capita, and lifestyle stimulate immigration. The immigration phenomenon is not static and immutable, on the contrary, it is very dynamic and variable and directly influenced by political, social, economic, military and religious developments. This phenomenon in recent years is undergoing radical evolution and has been followed by tremendous changes both in political, practical and academic aspects.

Many states are signatories to international conventions on rights, obligations and protections of employees. Migration remains a natural and unavoidable phenomenon, but the path towards regular labor migration is not easy. Abuse and misuse, improper movements, xenophobia, lack of integration, and violation of standards and stability, along with human trafficking, smuggling of migrants and corruption are some of its risks. - Migratory policies cannot arise and develop only within the region or a state, it needs international co-operation and interaction and common and comprehensive policy making.

Europe must, however, admit that it is not only her that is doing 'a favor' to immigrants by accommodating or assisting them. Europe has the same need for immigrants as they have for Europe. On a continent where demographic structures have changed and where aging of the population has now become a reality, immigrants are one of the best and most likely solutions to replace the local labor market while many sectors of the economy require a level of low qualifications and relatively difficult conditions such as construction, agriculture or the service sector, survive and develop through emigrants' employment. Thus, in public and political debates, we see that migration is considered a threefold benefit, where migrants are benefiting by finding a better living standard, jobs, and higher income; benefit host countries as they provide manpower and multiculturalism and benefit countries of origin by financial and social remittances but also brain inflow and new skills that migrants can obtain during emigration.

With this, it seems that a golden balance between migration and development has been found, at least on paper. Immigration and immigrant figures are among the most mediatized elements of the last decades. Even racist discriminatory rhetoric has not been lacking in international media and in political movements. In recent years, we see that everywhere in Western Europe and the EU there is an empowerment of anti-migratory movements and radical political forces that openly express their racist attitudes towards foreigners. These political forces are populist by gaining the support of a large part of the local population and often taking power and political decision-making. Migration began to be seen as an important factor and promoter of the economic, political, social and cultural development of the participating countries, be it host countries or countries from which migrants leave.

Thus, financial remittances, social, diaspora, transnational societies, brain circulation and human capital, etc., are some of the positive and developing elements that accompany migration.

Recent developments in the field of emigration in co-operation with the global economic crisis and the austerity measures that many countries were forced to undertake turned the focus of racist, negative and populist anti-mobility struggle.

"One of the main pillars of the EU's creation and existence, the right to mobility and the creation of a safe life, is shaken and is likely to fall and undermine all the basic principles of the EU's creation".

- Emigration in Albania

With the establishment of the communist regime, after the Second World War, emigration in Albania was prohibited, while internal migration was limited.¹ Albanian emigration began in the 1990s and coincides with the end of communist rule.

Today's crisis of migration is neither Albanian nor Balkan, it is far more than that and I think that it should be administered with great care. ***"Albania is a unique and extraordinary event in Europe with regard to the phenomenon of immigration. It has passed every possible prediction by becoming the most affected country by emigration in Europe. About 20-25% of the population of our country has emigrated"***.

According to recent census data, Albania's population has been reduced by about 8% in only one decade. One of the reasons is the decrease of birth rate but still the biggest reason is emigration. There are many waves of Albanian emigration, such as the wave of 1990-1992, the wave of 1997-1999, the stabilization of migratory movements after 2007, and an increase in emigration in recent years. New forms of migration have evolved and we can no longer see it as a definitive and irrevocable decision.

- There are about 1 million immigrants abroad, in western countries, especially in Greece about 500,000, Italy 300,000. Canada, America, England and other European countries.

About 60% are young. This process has negative and positive sides. Positive aspects appear in:

1. Economic aspect

Through remittances they affect the positive aspect directly to the growth of well-being. According to the data in the table below it results for the sums of money sent to the country. By the very fact that the transition in Albania was hard and difficult, they were used for spending in their families and very little for investment. These remittances have been reduced in recent years due to the economic crisis that included the countries of Europe, and especially Greece and Italy, where most of the Albanian emigrants are located. The effects of the crisis have influenced a part of the emigrants to lose their and their eventual return to Albania would increase the number of unemployed people in the country.

Years	2001	2004	2005	2006	2007	2008	2009	2010	2011
Remittances	620	774	802	937	952	833	782	696	693
From migrants									

Source; Central Bank of Albania

This is expressed in the influence of European culture on Albanian culture. Immigrants after their return tend to pursue a lifestyle and working style in the western style. This can be noticed in their behavior, work discipline, tolerance, responsibility, way of communication etc.

The negative aspect of immigration appears:

1. In reducing the workforce in the country, as most of them are young. 2. Part of the intellectuals, that is, the brain of the country leaves for other countries. 3. A considerable part of the students go out for studies, that do not return. The main cause of no return other than economic conditions is mistrust and cannot adapt to our circumstances.

Immigration in Macedonia

Immigrants from Macedonia living in the West transfer different forms of economic resources to their homeland. An important part of these resources derives from the transfer of money or material property to the direct support of family members. However, information, knowledge, professional knowledge/know-how and education are also transferred. Transferred money is used for consumption, housing, as well as health care and family members' education. Returning migrants in the last years have established many small enterprises in Macedonia. Money flow not only increases the purchasing power in the region but also, apart from spatial distances, transfers keep alive family ties, thus creating an intertwined interconnection. For Macedonia, respectively in the western part, from which region derives a large part of the emigrants, this group of people has a great importance, above all, for the support of the region from which they come. In 2006 through Macedonia's

banking channels, a total of US \$ 267 million worth of remittances has been transferred from all over the world.

Years	2011	2012	2013	2014	2015
Transfers	434.124.00	394.153.57	367.068.20	366.518.28	306.962.28

Central Bank of Macedonia

Estimates suggest that the effective value/amount is at least 50% higher, since a large part of the money is transferred to Macedonia through non-formal channels (including cash carry in person).

1. Employees rights and responsibilities

Rights belong to a person by a law, nature, or tradition. Employment is a mutual relationship (both sides have rights and obligations). Because rights and responsibilities are reciprocal, the employer has the right to expect a higher quality work from employees, meaning that the workforce needs to be at work and meet the standards of performance of the work.

Legal Rights - The legal rights of employees are the result of specific laws adopted by federal, state or local governments, federal, state and local laws that guarantee workers, including labor rights, as opportunities for equal employment, collective negotiations and security have changed traditional management competencies. These laws and their interpretations have been subject of a large number of court cases. For example, over a 12-month period, over 23,000 claims for employment discrimination have been filed in court at the federal court. Over the course of a year, around 78,000 complaints related to employment discrimination have been submitted to the Equal Employment Opportunity Commission (EEOC).²

Contractual Rights-The contractual rights of the employee are based on a particular contractual agreement with an employer. Contracts are used when formalizing an employment relationship is needed. For example, if one is engaged as an independent contractor or consultant, then a contract stipulates that the job is to be performed, the time, parameters, costs and fees that will be incurred by the employment firm are set. In this agreement, an employee whose employment relationship is terminated agrees not to sue the employer in return for certain defined benefits, such as overtime or other consideration.³

Employment Contracts - Details of an employment contract are often written into a formal employment contract. These contracts are in written and very detailed. Typically, the employment contract shows that employment can be terminated voluntarily by the employer or the employee, or for some reason. Typically, the overall nature of the employee's work is typically identified.⁴

- INTERNATIONAL LABOR ORGANIZATION.

The International Labor Organization (ILO) is a United Nations agency dealing with labor issues, especially with international labor standards, social protection, and equal opportunities for all.⁵ ILO has 186 member states 185 of the UN member states plus Cook Islands are members of the ILO. In 1969, the organization received the Nobel Peace Prize for improving peace between the classes, following the decent work and justice for the workers, and providing other assistance to developing countries.⁶

INTERNATIONAL LABOR ORGANIZATION’S DECLARATION ON THE BASIC PRINCIPLES AND FUNDAMENTAL RIGHTS AT WORK AND ITS SUPERVISION.

(adopted by the International Labor Conference at the eighty-sixth session in Geneva, 18 June 1998. The International Labor Organization (ILO) on June 18, 1998, in Geneva, adopted the ILO Declaration on Principles and Fundamental Rights at Work and its supervision. With this, ILO aims to respond to the challenges of globalization of the economy which have been the subject of numerous debates within it since 1994. One such step in this direction was done in Copenhagen in 1995 when the Heads of States and Governments attending the World Summit on Social Development adopted commitments and an action plan on "the fundamental rights of employees"; - prohibition of forced labor and child labor; freedom of association; freedom to create unions and to hold collective conversations; equality of remuneration for work of equal value and elimination of employment discrimination.

The World Trade Organization ministerial conference, held in Singapore in 1996, provided the opportunity for a second step. States renew their engagement in respect of the internationally recognized basic labor standards, recalling that the ILO is a competent body to establish these norms and to ensure their implementation and re-invigorate their support of its activities to promote these standards.

- The adoption of the Declaration is the third step. It brings a decisive contribution to the objective set out in paragraph 54 (b) of the action program adopted by the Copenhagen Summit, which states "in the protection and promotion of respect for the fundamental rights of workers", requesting ILO Conventions parties to fully implement them and other states to keep in mind the principles set out therein. The ILO member states, even when they have not implemented and ratified the conventions in question, have the obligation to respect "in good faith and in accordance with the Constitution, the principles relating to the fundamental rights which are subject to these contracts".

Ratification of International Labor Organization (Basic) Conventions. Until January 8, 2003

Principle	Convention	No. of countries that have ratified it
Freedom of association and protection of the right to organize joint rallies	Convention 87 (1948)	141
	Convention 98 (1949)	152
The youngest age of work	Convention 138 (1973)	120
Prohibition of compulsory labor	Convention 29 (1930)	161
	Convention 105 (1957)	158
Right to reward and prohibition of discrimination in professional	Convention 100 (1951)	160
	Convention 111 (1958)	158

employment		
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Source: ONP, 2003 Most important ILO Conventions

CONCLUSION

Practice has shown that migration will exist as long as there are differences in economic development. Reserving equal rights to migrant and domestic workers in host countries for employment terms and social security conditions and a guarantee for decent living conditions, in particular migrant workers' housing so they have the same chances as they decide to find other jobs if they are unemployed. To enjoy professional training, extra language learning, children's education the same as the locals. Migratory movements throughout the history of mankind have been the forerunner of its overall demographic and social evolution, playing a very important role in expanding the world map of populations, the regrouping of populations of different racial, ethnic, religious, linguistic and socioeconomic and cultural background and consequently of diaspora creation. Migrations, as a traditional field of science on the population, were never spontaneous and autonomous processes, as they are not today, although the motives, directions, spatial distances, selectivity, their effects on demographic development and socio-economic life have changed. Foreign migration, known as international migration (between countries), has a longer history and for many flows and features are more complex than internal migration (within a country). These migrations have been intensified especially after major geographical discoveries and population of "New World", undergoing major ethnic-demographic changes, accelerated with the technical revolution and the development of traffic, as well as with the major changes in the mental and material aspect of mankind, which left important marks on the life of peoples, different population groups, families and individuals. At the national level, each country should have legal norms that regulate this area and a range of regulations in the specific areas of the definition of special rules for workplaces, especially those where there are various risk factors that are present in workplace. These dangers or damages to the workplace cause injuries in such workplaces that lead to disability as well as the appearance of professional illnesses and other work-related illnesses.

REFERENCES

1. Hivzi Islami, Gani Bobi-Rrjedhat demografike shqiptare; Pejë 1994
2. Bërxfholi, A., (2005): Veçoritë e vizualizimit të dinamikës së popullsisë, në: 'Atlasin gjeografik të popullsisë së Shqipërisë (Some particularities of the visualisation of population dynamics, in: Geographic Atlas of the Albanian Population).
3. Fauzi Skenderi-Popullsia dhe vendbanimet shqiptare në maqedoni (disertacioni) –Tiranë, 2004
4. Genc Gjenç, Halit Xhafa-Ndikimi i dërgesave të shqiptarëve në rritjen ekonomike-Tiranë 2014.
5. "Economy and Transition" Nr 1. P 70-82, 2005.
6. Immigrant kids; Rusell Fredman-Neë York; Scholastik, 1992
7. Migration in Albania, Rome; FAO, ESA, 04-13. Working Paper

8.R.Petroviç, Z. Huber – Migracije u Jugosllavije i etniçi aspekti, Beograd 1999.

.9.Shehu D. Leka P.Kalemi F.; economic and social diagnostics of rural mountainous zone of Puka”
Agricultural sciences” ; nr 7/ vol 5, p 76-81, 2006.

10. Luljeta Ikononi, Arta Mandro-E drejta e migracionit, mbrojtja ndërkombëtare e migrantëve të parregullt-Tiranë 2001.

11. [http:// www.instant.gov.al/](http://www.instant.gov.al/)

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