



Salvador de Madariaga Institute

*NAFTA and the European Referent:  
Labor Mobility in European and  
North American Regional Integration*

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**NAFTA and the European Referent: Labor Mobility in  
European and North American Regional Integration**

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## NAFTA AND THE EUROPEAN REFERENT: LABOR MOBILITY IN EUROPEAN AND NORTH AMERICAN REGIONAL INTEGRATION

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The election of Vicente Fox in Mexico and of George W. Bush in the United States led to a short-lived bilateral “honeymoon” in 2001 that waned prior to the terrorist attacks of September 11, not after them. One aspect of the honeymoon period involved recurrent allusions to a European referent for NAFTA in US and Mexican press coverage of a possible immigration policy initiative. In several declarations, most notably President Fox’s speech at the Ottawa summit of the NAFTA partners in 2001, he spoke of his vision of a border-free North America where workers enjoyed freedom of movement. The seeming European referent for NAFTA, then, was freedom of movement within the European space guaranteed European citizens under Articles 48 and 49 of the Treaty of Rome.

If President Fox and other advocates of a US-Mexico immigration policy initiative actually espouse an Article 48-like freedom of labor mobility within NAFTA, they would appear to be overlooking fundamental differences between regional integration in North America and Europe. We suggest that the Turkish-EU and Moroccan-EU relationships constitute a more appropriate European referent for NAFTA than Article 48. Turkish and Moroccan bids for membership in the EC and EU failed for many reasons, but above all because of the prospect for large-scale emigration by Turks or Moroccans to other member-states long after the end of a transition period.

### Two Different Creatures

The history of European federalism pre-dates World War II. But the trauma of the Holocaust and the vast destruction of the two world wars convinced European leaders of a need for regional integration in order to prevent recurrence of war. Subsequent regional integration in Europe was security-driven, and involved a European governance project. While Europeans differed in their approaches to regional integration, the founders of the European Coal and Steel Community (ECSC) launched a federalist project that was to evolve incrementally. A vision of freedom of worker or employee mobility already informed the creation of the ECSC.<sup>1</sup>

It is important to recall, however, that Italy’s strategy to facilitate emigration through regional integration encountered great resistance from other member-states.<sup>2</sup> While the Treaty of Rome was signed in 1957, Article 48 did not become effective until 1968. In the meantime, Italy had undergone a remarkable transformation, in large part attributable to its membership in the European Community. By the time Italians possessed freedom of labor mobility, they were little inclined to exercise the right. While Italians constituted the largest group of intra-EC “community workers”, such

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<sup>1</sup> A. Geddes, *Immigration and European Integration: Towards Fortress Europe?* (Manchester and NY: Manchester University Press, 2000), p. 45.

<sup>2</sup> F. Romero, “Migration as an Issue in European Interdependence and Integration: The Case of Italy,” in A. Milward, F. Lynch, R. Ranieri, F. Romero and V. Sørensen (eds.), *The Frontier of National Sovereignty* (London: Routledge, 1993).

workers comprised a very tiny share of the combined workforce of the EC.<sup>3</sup> By 1990, the foreign resident population from other EU states had grown to over 5.5 million in a total population of 370 million, about 1.5 percent of the EU's total population.<sup>4</sup> The relative paucity of labor mobility between member-states of the EC and the EU contrasts strikingly with the current situation within the NAFTA area, where some eight to nine million Mexican-born individuals reside in the United States, about half illegally. In 1972, there were only 750,000 Mexicans resident in the US.

European regional integration largely involved the melding of societies at similar levels of socio-economic development. The provision of development assistance to lagging areas within the European space helped narrow socio-economic disparities, in areas like Southern Italy which, in turn, reduced incentives for emigration under Article 48. Hence, the modest propensity to migrate for employment within the European space, while often decried, in fact reflects an underlying socio-economic reality that has a counterpart in the U.S.-Canadian relationship but not yet with Mexico.

NAFTA emerged in a different historical context. It was neither security-driven nor did it involve a federalist project. Instead, it extended a free-trade area created in 1988 between Canada and the United States in response to, in retrospect, exaggerated apprehensions over the trade implications of the Single European Act. Indeed, it was these fears that gave rise to the notion of Fortress Europe, a term now inappropriately used to characterize EU-area migration policies. The origins of NAFTA can be traced to the creation of the Commission for the Study of International Migration and Cooperative Economic Development (CSIMCED) authorized by the Immigration Reform and Control Act of 1986. Essentially, CSIMCED examined alternative or complementary strategies for prevention of illegal migration to the one found in IRCA. CSIMCED commissioned scores and scores of studies including one that examined the likely effects of trade liberalization between the United States and Mexico upon the agricultural sector in Mexico and Mexican emigration. It warned that trade liberalization would adversely affect the *ejido* sector of traditional small-scale farms which employed millions of Mexicans and which sustained one third of the Mexican population.<sup>5</sup> Philip L. Martin would later refine his insights into a theory of a migration hump in which emigration from Mexico to the United States would increase significantly over the short to medium term before eventually declining over the long term in a scenario of trade liberalization.<sup>6</sup>

President Salinas of Mexico proposed NAFTA to President George Bush, Senior. The American president then referred the question to his National Security Council, which supported the proposal on the grounds that the United States and Mexico had become so interdependent, in large part due to migration, that untoward developments in Mexico would adversely affect the United States.

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<sup>3</sup> H. Werner, *Freizügigkeit der Arbeitskräfte und die Wanderungsbewegungen in den Ländern der Europäischen Gemeinschaft* (Nuremberg: Institut für Arbeitsmarkt- und Berufsforschung, 2000).

<sup>4</sup> R. Koslowski, *Migrants and Citizens* (Ithaca, NY: Cornell University Press, 2000), p. 118.

<sup>5</sup> P.L. Martin, *Trade and Migration: NAFTA and Agriculture* (Washington, DC: Institute for International Economics, 1993).

<sup>6</sup> P.L. Martin and J.E. Taylor, "Managing Migration: The Role of Economic Policies," in A. Zolberg and P. Benda, *Global Migrants, Global Refugees* (NY: Berghahn Books, 2001).

Hence, security concerns figured in the Bush administration's embrace of the NAFTA concept, but much less centrally than in the European regional integration context. Moreover, the NAFTA proposal involved no explicit political project as in the European context. NAFTA would deepen socio-economic interdependence between the three partner states but all three jealously guarded their sovereign prerogatives. Indeed, so sharp were differences between the United States and Mexico over illegal migration that a decision was made to exclude the "poison pill" of migration from NAFTA negotiations. Paradoxically, then, only one minor formal clause of the NAFTA treaty pertains to migration while, in fact, migration control concerns figured centrally in the diplomatic initiative. Indeed, both President Salinas and President Clinton would argue in support of signature and ratification of the NAFTA treaty that it would reduce illegal Mexican migration to the United States. To paraphrase President Salinas, either the United States would get Mexican tomatoes or Mexican workers.

A decade after the signing of the NAFTA treaty, Mexican immigration to the United States is surging. Preliminary analysis of the 2000 census suggests that the proportion of illegal entrants among Mexican migrants to the United States has increased significantly. The downward slope in the expected hump has yet to materialize although there are Mexican experts who contend that changing demographic and socio-economic realities in Mexico will result in decreasing Mexican emigration to the United States soon.

In retrospect, Article 48-like freedom of movement with the NAFTA area can at best be termed visionary. There are those who view socio-economic integration as mechanistically or inevitably leading to spillover and deeper political integration between governments involved in a regional integration process. However, it took the German Question, the resultant commitment to regional integration to prevent recurrence of war and a federalist project for such an outcome to materialize in the European regional integration context. Leadership or volitional variables mattered a great deal in the development of the EU. The unilateralist, even imperialist, dimensions of U.S. foreign policy under George W. Bush stand in sharp contrast.

Moreover, NAFTA differs from the European regional integration process because the United States so dwarfs Mexico economically. The difficulties encountered by African regional integration projects like the Economic Community of West African States (ECOWAS) in this respect are telling. Rather than socio-economic integration resulting in deeper political integration and freedom of labor movement, mass deportations of community workers frequently result as in the Nigerian mass expulsions of the 1980s.<sup>7</sup> Aderanti Andepoju has identified the socio-economic predominance of one member state in multi-state regional integration frameworks as a recurrent obstacle to successful regional integration in Africa. Typically, the richest state in a regional integration project absorbs most of the labor movement within the region which eventually leads to political frictions, conflicts and mass expulsions, especially in periods of economic recessions, such as experienced by Nigeria when oil prices plummeted and governmental instability increased<sup>8</sup>

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<sup>7</sup> S. Ricca, *Migrations internationales en Afrique* (Paris: L'Harmattan, 1990).

<sup>8</sup> Aderanti Andepoju, "Regional Integration, Continuity and Changing Patterns of Intra-Regional Migration in Sub-Saharan Africa," in M.A.B. Siddique, ed., *International Migration into the 21<sup>st</sup> Century* (Cheltenham: Edward Elgar, 2001).

Few recall today that a mass repatriation of Mexicans living in the United States occurred in the 1930s and that Operation Wetback in 1954 resulted in the *manu militari* deportation of one million Mexicans. Mexican apprehensiveness over interpretation of President George W. Bush's interview with the Copely News Service in March 2003, in this respect, does not appear unwarranted. Regional integration within NAFTA does not ensure an outcome similar to freedom of movement for European citizens.

### **Are there other Possible Referents for NAFTA?**

The cases of Italy, Spain, Portugal and Greece in European regional integration seem germane when contemplating possible European referents for NAFTA. Instead of focusing on the extension of freedom of movement to Italian workers under Article 48, which came grudgingly and, for the Italian government, belatedly, Mexico and the United States would do well to focus on how European Community investments in infrastructure and development in the Mezzogiorno helped attenuate international migration. Instead of haggling over expanded admissions of temporary Mexican workers to the United States, which after all would signify a regression to a much-decried *bracero* policy, would not it make more sense for the United States and Mexico to focus on infrastructural investments likely to foster Mexico's socio-economic development?

Foreign assistance has a bad reputation within the Beltway and most U.S. citizens have very mistaken notions about how much foreign aid the United States provides. Undoubtedly, some of the hostility to U.S. foreign assistance arises from the way that it has been allocated in recent years- mainly to Israel and Egypt and much of it in the form of military and tied assistance. Public opinion polling, however, consistently finds the general public to be supportive of generous US foreign assistance. The George W. Bush administration's rejection of Kofi Annan's initiative at Monterey thus amounted to a classic volte-face. However the grudging acceptance by the Administration to increase U.S. foreign aid as part of a global strategy to alleviate the roots of terrorism may signal an important departure.<sup>9</sup>

Spain, Portugal and, to a lesser extent, Greece also might be viewed as referents. Spain and Portugal underwent a remarkable transition from lands of emigration to lands of immigration during the period that roughly coincided with their accession to full membership. The prospect of Iberian membership prompted a debate eerily reminiscent of the 2000-2001 debate over the migratory consequences of Poland's entry into the EU.<sup>10</sup> Some feared a tidal wave of Spanish and Portuguese emigration to other EU member-states after the completion of the transition period. More lucid voices pointed to the lessons of the Italian precedent and, it turned out, they were right. Spain and Portugal retained huge expatriate populations in the aftermath of full membership but no tidal wave of new Spanish and Portuguese community workers materialized. To paraphrase Ray Koslowski, intra-European capital mobility substituted for intra-European labor mobility.<sup>11</sup> Between the onset of negotiations over Iberian accession and completion of the transition period, Spain and Portugal underwent a significant

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<sup>9</sup> B. Crossette, "Annan says Terrorism Roots are Broader than Poverty," *New York Times*, March 7, 2002.

<sup>10</sup> E. Hönekopp and H. Werner, "Is the EU's Labour Market Threatened by a Wave of Immigration?" *Intereconomics*, January 1, February, 3-8, 2000.

<sup>11</sup> Koslowski, p. 17.

socio-economic transformation, linked in large part to the prospect of EU membership. Changing Iberian demographic realities also helped foster change. Spain in particular underwent a migration transition in the 1980s and 1990s that was roughly analogous to the migration transition in Italy in the 1970s.

There are indications that Mexico has begun to undergo migration transition. Most migration to Mexico remains transit migration. But migrant populations have long contributed to the labor force of certain regions of Mexico, such as Chiapas, and recent legalization policies undertaken by the Mexican government acknowledged an insufficiently understood aspect of Mexican society.

Mexico's status as a land of both emigration, transit migration and of immigration is far from unusual, indeed such status is increasingly the global norm. Recognition of that multi-faceted reality has become a more important factor in U.S.-Mexico dialogue over migration issues in the wake of September 11. Some have called for a hemispheric or at least NAFTA area defense perimeter in which immigration policies are harmonized in a way analogous to on-going EU efforts to negotiate a common immigration policy. Mexico apparently has sought to link its cooperation with such a strategy to U.S. initiatives concerning illegally resident Mexicans in the United States.

Leaving aside Portugal and Greece for reasons of parsimony, Spain's incorporation into the Schengen space constituted a *sine qua non* for its accession. As soon as Schengen rules applied, notably the imposition of visa requirements on Moroccans, the first pateras transporting illegal Moroccans and Black Africans arrived on Spain's coasts. In the 1990s, migratory pressures upon Spain appeared to intensify, perhaps spurred on by Spain's recurrent legalization policies and authorization of small-scale temporary foreign worker recruitment. By late 2001, an association representing Moroccans in Spain estimated that some 4,000 Moroccans alone had perished seeking to enter Spain in the previous five years. Such figures, of course, are notoriously difficult to substantiate but they provide some measure of the passion evoked by Spain's immigration dilemmas in recent years.<sup>12</sup> The currently ruling conservative government has subsequently repudiated legalization policy and has infuriated Morocco with its proposals adopted at the Tampere EU summit, which seek to encourage Morocco to impose visa requirements on many Sub-Saharan African countries in order to stem transit migration through Morocco to Spain.

There is much for both Mexicans and Americans to mull over on the possible referent to Spain. In terms of much analyzed specific policies that have been endlessly debated in the U.S.-Mexico context, recent experiences in Spain seem to confirm the conventional wisdom. Legalization policies offer humanitarian relief to illegally resident aliens but do nothing to alter illegal migration dynamics.<sup>13</sup> Indeed, they probably serve to attract additional illegal migration. Temporary foreign worker admissions policies are difficult to administer and often become "back door" legalization policies and probably also serve to increase illegal migration. The United

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<sup>12</sup> A. Belguendouz, "La Dimension Migratoire Maroc-Hispano-Européenne: Quelle Cooperation?" in *A New Security Agenda for Future Regional Co-operation in the Mediterranean Region* (Rome: Fourth Mediterranean Dialogue International Research Seminar, NATO Defense College, November 2001).

<sup>13</sup> Organization for Economic Cooperation and Development (OECD), *Combating the Illegal Employment of Foreign Workers* (Paris: OECD, 2000).



States and Mexico should examine specific instruments or policies implemented by Spain very closely, because these policies appear to have aggravated rather than alleviated illegal migration.

The germaneness of Morocco, and by extension Tunisia and Algeria, to NAFTA zone migration policy is suggested by commonplace reference to the partnership agreements of recent years as EU mini-NAFTA pacts. Indeed, the signature of NAFTA appears to have had what Reinhard Bendix termed a “demonstration effect” upon the EU and its North African partners. The partnership agreements created free trade areas and foresaw cooperation on migration policies matters, particularly to reduce illegal migration.

Morocco had a long track record of cooperation with European states, particularly with France, on bilateral migration matters. Despite the partnership pact with the EU, Moroccan-Spain and Moroccan-EU tensions have increased. Migration regulation is only one of several fractious issues, but it may be the most significant. Interestingly, Morocco has come to embrace notions that closely parallel Mexico’s official views in bilateral negotiations with the United States over Mexican migration. Specifically, Morocco views illegal emigration to the EU space as labor market-driven, essentially a response to unmet employer demand. EU member-states such as Spain, like the United States, view illegal migration as violations of law. Morocco regards migrant integration and initiatives against discrimination as priorities for Spain and the EU, not prevention of illegal migration.

The worsening state of Morocco-EU relations in recent years seems to contrast sharply with the direction of U.S.-Mexico relations. But appearances can be deceiving and the historically antagonistic U.S.-Mexico relationship, particularly over bilateral migration issues, may well resume as the afterglow of the honeymoon period fades. For all the transatlantic contextual differences, Morocco and Mexico find themselves in quite analogous situations. The likely effects of the partnership agreements upon emigration from North Africa will probably parallel the migration hump foreseen for migration in the U.S.-Mexico trade liberalization scenario.<sup>14</sup>

Turkey’s relationship to European regional integration differs greatly from that of North African countries. Turkey acceded to EC association status in 1972, a step then understood as foreshadowing eventual full membership. Turkish citizens comprise the largest population of third country nationals within the EU space, totaling over three million, with the more than two million Moroccans in the EU next in line. Turkey now comprises a customs union with the EU but has repeatedly seen its bids for full membership in the EU rebuffed despite strong U.S. pressure upon EU member-states in support of Turkey’s accession. Long-standing U.S. support for Turkey’s full membership has complicated U.S.-EU relations and amounts, as Joaquín Roy has suggested, to U.S. meddling in the internal affairs of the European Union.

The U.S. advocacy ignores a multitude of problems and issues which stand in the way of Turkish full membership. There is no need here to elaborate upon those many problems and issues as they have been ably analyzed elsewhere.<sup>15</sup> Suffice it to

<sup>14</sup> G. White, “Encouraging Unwanted Immigration: A Political Economy of Europe’s Efforts to Discourage North African Immigration,” *Third World Quarterly*, 20:4, 1999.

<sup>15</sup> B. Buzan and T. Diez, “The European Union and Turkey,” *Survival*, Vol. 41, Spring 1999.

note here that a key dimension of the bundle of problems and issues standing in the way is the prospect for unacceptably high levels of Turkish emigration after the completion of a transition period. Such a scenario is politically unpalatable to most EU member states despite the looming demographic declines in countries like Germany, Spain and Italy. This constitutes a key reason why the horizon for Turkey's full membership remains remote and distant but still possible.

Currently, Turkey like Morocco is coming under considerable pressure to harmonize its immigration policies with those of the EU. For instance, Turkey's refugee law and policy recently changed with Turkey discontinuing the long established practice of granting preferential entry to ethnic Turks from former Ottoman lands. Turkey is also contemplating imposition of employer sanctions and reform of its policies towards asylum seekers.<sup>16</sup> These proposed changes could be quite significant as Turkey has long tolerated the presence of three to four million aliens, most of whom hail from nearby countries like Iran and Iraq. If Turkey were to alter its de facto policy of toleration, and thereby more closely approximate public policies in the EU area, there could be significant repercussions upon a region already confronting politically destabilizing population movements, such as the massive inflow of Iraqis to Jordan.

Turkey's relationship to the EU somewhat parallels Mexico's to the United States, although the former involves a customs union while the latter a free trade agreement. In both instances, the legacy of past temporary foreign worker recruitment policies weighs heavily. That legacy mitigates against full membership for Turkey in the EU, turning on its head the unwarranted assumption that worker migration necessarily leads to deeper socioeconomic and political integration.

Mexico continues to seek expanded admission of its citizens as temporary workers in the US and apparently would regard a return to *bracero*-like policy as progress in the U.S.-Mexico bilateral relationship. But the *bracero* policy was terminated in 1964 for good reasons just as were guest worker policies in the 1972 to 1974 period in Western Europe. Temporary foreign worker recruitment policies in Europe and North America constituted flawed public policies that resulted in considerable unanticipated settlement and illegal migration. There is no good reason to think that expanded admissions of temporary foreign workers from Mexico to the United States is going to hasten the day that President Fox's vision of a border-free North America arrives. The track record of temporary foreign worker admissions policies contributing to harmonious bilateral or regional relations is unpromising.

Turkey, thus, may constitute a more relevant European referent for NAFTA. As long as Turkey lags far behind the EU economically and long-term prospects for high rates of Turkish emigration remain, deeper integration with the EU through full membership will prove elusive. When guest worker policies in Western Europe were curbed or stopped in the early 1970s, several million Turks were registered for recruitment.<sup>17</sup> Some thirty years later, full membership for Turkey in the EU remains elusive, in part because of the perception that too many Turks would emigrate if granted freedom of labor mobility within the EU.

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<sup>16</sup> OECD, *Trends in International Migration* (Paris: OECD, 2001), p. 254.

## **Comparing Labor Migration within NAFTA and the EU: A Research Agenda**

There have been a number of efforts to compare the European and North American migratory systems, and policy-oriented transatlantic comparisons of international migration stretch back to the mid-1970s, if not earlier. Yet important misapprehensions persist as attested to by unwarranted allusions to a European referent to NAFTA in the U.S.-Mexico immigration honeymoon period. This suggests that much more work needs to be done by all concerned parties, including Americans.

Migration issues can no longer be dismissed as peripheral or esoteric. They vitally affect security, inclusive of that of migrants. The United States does not seem to appreciate fully how European security concerns are related to the prevention of “unwanted” migration. Transatlantic tensions over Iraq arise, in part, from differing perceptions of security threats. The EU wants to stabilize the Middle East, the source of so much immigration to the EU. It understands that a likely consequence of further conflict in the Middle East will be greater pressure for emigration to the EU.

The United States appears oblivious to the fears of its European allies, inclusive of Turkey. Indeed, it appears to view the war with Iraq as possibly resulting in regime change and democratization. It courts elements of the approximately four million expatriate Iraqis, out of a total population of some twenty-two million, to help bring about democratization.

Meanwhile, Arab scholars and leaders warn of a war opening the proverbial jaws of hell. Mass movement of people appears to figure centrally in this apocalyptic vision. Surely it is high time for transatlantic comparisons of immigration and migration policies to take their implications for security seriously, especially if war with Iraq increases the appeal of al-Qaida amongst Muslims in the transatlantic area, as seems predictable.

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<sup>17</sup> P.L. Martin, *The Unfinished Story, Turkish Labour Migration to Western Europe* (Geneva: International Labour Organization, 1991).

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