Patterns of Pro-migrant Groups in Europe

by

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B.A. (Honours), Bucharest University, 1997

A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of

MASTER OF ARTS

in the Department of Political Science

We accept this thesis as conforming

to the required standard

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Abstract

One might have assumed that there are not too many common grounds between pro-migrant organizations and business and public interest groups. Whereas pro-migrant groups are only a marginal lobbying actor in the national and European arenas, both business and public interest groups have a high profile. Representing a group with low social status and limited access to resources, probably pro-migrant groups always will have a poor visibility among the other interest groups. Moreover, given their diverse organizational forms (church-based associations, independent NGOs, national and international organizations), there is difficult to talk even about a lobbying pattern followed by pro-migrant groups. The present thesis argues that pro-migrant groups bear comparison to both business and public interest organizations on several aspects: frequency of the lobbying interactions, degree of involvement in the lobbying process and domestic as well as European motivations for their emergence.

Starting with the Amsterdam Treaty (1999), matters of asylum and immigration were transferred from the remit of intergovernmental cooperation into the jurisdiction of Community institutions. The Amsterdam Treaty and the legal initiatives that followed opened lobbying venues for pro-migrant groups both in the national and European contexts.

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Acknowledgments

I would like to thank Dr. Radhika Desai and Dr. Oliver Schmidtke for their guidance, precise and extremly helpful responses.

I am sure that without their valuable insights my thesis would be only a partial approach to pro-migrant groups.

I want give a special thank you to Dr. Radhika Desai for her openess and courage to become my co-supervisor in mid-process of writing this thesis. Thanks again for your inspiration to turn my research from a quantitative to a qualitative perspective even if it doubled my amount of work!

Another special thank goes to Dr. Oliver Schmidtke who recommended me to apply lobbying theories to migrants. I realized how interesting this topic could be only after I started my research on them.

A special thanks to Dr. Colin Bennett who granted me an electroic break from my research activity in order to allocate my time for elaborating this thesis.

Special thanks to Marilyn Arsenault who gave all of us a welcome push for deciding on a defence day.

I thank Nick Lazaruk for familiarizing me with the electronic secrets of writing an M.A. thesis in accordance with the domestic rules.

Chapter 1 - Introduction

1.1. General Considerations

"Pro-migrant political activity [at the European level] is channelled through an institutional context with a strong technocratic and legalistic ethos that privileges epistemic, transnational advocacy networks coordinated through Brussels-based pro-migrant 'umbrella' organizations. These pro-migrant organizations seek to meld some form of common European level response from diverse migrant and migrant origin communities in EU member states" (Geddes 2000:3).

This thesis looks primarily at pro-migrant groups based in the national context and seeks to find out how they develop their own lobbying patterns at the national and European levels and what kinds of lobbying coalitions with 'umbrella' and other organizations they create. The term 'pro-migrant groups' designates those groups that "have lobbied and campaigned on behalf of migrants, aliens, refugees and asylum-seekers" (Gray and Statham 2005:3). Usually, these pro-migrant groups are NGOs that act as a third party for representing migrants' interests. The broad typology of migrants covered by this definition makes it helpful for the purposes of the current analysis. Pro-migrant organizations in the research sample defend the interests of all these categories of migrants.

"The representation of interests in the European Union (EU) is undergoing rapid transformation. Private interests at the EU level have come to embody a significant force in European politics, affecting the way agendas are shaped and legislation is made. Approximately 693 formal EU-level interest groups have been formed, with more coming into existence every year" (Greenwood and Aspinwall 1998:1).

Although the role of interest groups at the EU level is becoming increasingly prominent, the bulk of the analysis of interest groups remains focused on the national level. Despite their

differences in conceptualizing interest groups, most analysts emphasize their function of linking state and citizens' needs: "Interest groups provide institutional linkage between government or the state and major interests in society" (Wilson 1997:4). Or, as Offe put it, "structures of interest organizations add a second circuit to the machinery of the democratic representative polity" (1981:141). Political parties stand for the first circuit of the democratic system. According to democratic representative theory, they accomplish two functions: attracting voter support and "designing coherent policy alternatives" (1981:141 - 142). In most cases, political parties fail to perform the second function. This creates a gap filled by the involvement of other groups, including interest groups. Interest groups' role as "second circuit" of the democratic polity is acknowledged within both perspectives on organized interest interaction with the state, neocorporatist and pluralist. In both models, the roles fulfilled by interest groups come to compensate for problems of representation specific to liberal democracies. As Wessels stresses: "Given the complexity and multiplicity of interests in modern society, it can be argued that is impossible for representatives to find out what public desires and demands are if they solely rely on individual citizens or the electoral process alone" (1997:3).

The neocorporatist model, for whom the interest groups that matter are only the major economic interests, view them as being practically extensions of the state. Governance is accomplished with the help of interest groups through delegation (Krieger 1993:432-434) and interest groups act on behalf of the state, fulfilling the tasks prescribed by it. Interest groups are also partners of the state: "Important government decisions are made only after consultation with major economic interests, most notably workers, employers and farmers" (Krieger 1993:433). In the pluralist model, interest groups "are much more numerous and much more autonomous" (Krieger 1993:433). They should not be seen any more as dependent upon state authority. On the contrary, their relationship with the state is conceived in terms of cooperation. Moreover, their rich diversity as well as their self-governing capacities is an indicator of freedom and democracy.

However, problems of representation become more acute at the supranational EU level. One major reason is, of course, the weakness of the European Parliament as a legislative body. Too much legislative power still resides in the Council of Ministers and in the Commission. Given this, European parties themselves are weaker. Euro-parties are often regarded as "second-order parties" that "work with the European Parliament to form policies, to a large extent at the discretion of the national parties" (Herdar 2003:5). In essence, most criticism of parties in the European Parliament focuses on their failure to perform a supranational role and their high dependency on national parties. Some voices are more radical, arguing for the irrelevance of parties at the EU level: "the party system is 'absent' on the European level, the transnational party are organizationally weak, not involved in the nomination of candidates, they are unstable and heterogeneous" (Andeweg 2003:5). Compared to their role at the national level, the role of interest groups at the EU level is, therefore, even more important.

Our approach to interest groups is based on two theoretical perspectives - policy network and multi-level governance - which are better suited for examining the role of interest groups at the EU level than the two approaches described above. Whereas both pluralism and neocorporatism focus on the state-society relationship, policy network and multi-level governance are open to the supranational level without ignoring the national conditions. In addition, policy network and multi-level governance provide us a more flexible way to conceptualize the relationship between public authorities, domestic and European, and interest groups. Whereas for neocorporatism interest groups' freedom to chose their lobbying arena is controlled by the state, all the other three models acknowledge a certain degree of autonomy for interest groups. In comparison with pluralism, where the interest groups' function is to mediate between state and citizens (Jordan and Schubert 1992:10), both policy network and multi-level governance envisage interest groups participating more directly in the decision-making process. In addition, multi-level governance provides us the analytical framework for locating the

lobbying interactions in the domestic and European arenas. The policy network approach enables us to explore the dynamics of the lobbying interactions, the directions along which these interactions develop (e.g. across sectors, within the same sector) and the multiplicity of actors who lobby in the national and European spaces.

In this way, the relationship established between national and supranational authorities and interest groups is based on an increased dependency. Each interest group can be a key player in so far as it possesses specific resources (e.g. expertise) to share in the decision-making process. In this thesis the policy network and multi-level governance perspectives are adapted to the research objective of investigating the lobbying patterns of pro-migrant organizations. To better assess the efficacy of pro-migrant organizations, they will be compared to two other types of interest groups that operate at national and EU levels, business and public interest associations. We are going to employ the multi-level governance model to look at how the local and European contexts influence the lobbying patterns of these three interest groups. The policy network approach is helpful for us because it places emphasis on how the lobbying interactions are built up and managed by different kinds of actors.

1.2 Trends in the evolution of pro-migrant groups

In Europe, as elsewhere, pro-migrant organizations have arisen in response to the systematic misperceptions of the migration phenomenon and related policy difficulties and failures. As the EU has also emerged in recent years as a major source of law and policy that governs migration in the EU area, these groups are also beginning to become active at the EU level. One of the most common misperceptions of migration that accounts for the rise of pro-migrant groups is grounded on the idea of causal link between migration and cross-border crime. As Grabbe noticed: "Migration and cross-border crime are often talked about in the same breath in public discourse although they should not be causally linked, migration does not necessarily

cause cross-border crime" (2000:520). Often immigrants also become objects around whom the host society constructs an entire "politics of fear" (Grabbe 2000:523) by pushing both political parties and public opinion against them. Another stereotype is to consider increasing immigration as a threat to the domestic population. In reality "Immigrants always are a minority of a country's population. Immigrants are under five percent of the EU population" (Sassen 1999:141). To make sense of the widespread character of these misperceptions, the European Commission's Eurobarometer carried out a special survey in 1997, the European Year against Racism. The results of the opinion polls indicated a worrying level of racism and xenophobia in Member States, with nearly 33% of those interviewed openly describing themselves as 'quite racist' or 'very racist' (Vila-Belda 2000:8). The major reasons for these social attitudes are related to the fear of unemployment, insecurity about the future and low confidence in public authorities and political establishment.

Such misperceptions and the policies that so often come to be based on them prompt groups interested in clarifying and settling problems associated with migration to seek a more active political role. Three other, more particular, reasons also account for the rise of pro-migrant groups. The World Commission on the Social Dimension of Globalization highlights the first one. In 2002, International Labor Organization launched the World Commission in order to analyze the social effects of globalization. It is composed of 26 professionals, including a Nobel laureate in economics, MPs, other politicians, social and economic experts, representatives of civil society and scholars. In the Commission' view: "A major gap in the current institutional structure of the global economy is the absence of a multilateral framework for governing the cross-border movement of people" (2004:376). All current international provisions address only isolated aspects of this issue (e.g. temporary movement of service providers, protection of migrant workers, trafficking in human beings).

A second reason is that, as the rate of migration accelerates, the number of immigrants whose interests need to be represented is higher. For instance, "The UN Population Division estimates the migrant population in 2005 at between 185-192 million people – up from 175 million in 2000" (World Migration Report 2005). Most migrants live in Europe (56 million that stand for 32 percent), followed by Asia (50 million) and Northern America (41 million), according to the International Migration Report (2002). As a consequence of these migration flows, the lobbying agenda of pro-migrant groups is likely to broaden and deepen considerably as new issues arise (e.g. situation of migrant women resulting from the increasing feminization of international migration) and more sustained lobbying and representation becomes necessary on these as well. Indeed, very often, the very policies that are designed to deal with particular problems of migration themselves open up new issues of concern surrounding migration. For example, as Flynn pointed out in the case of Britain, one of the measures for discouraging the illegal migration phenomenon consists in "admitting unskilled (more properly, informally skilled) workers for short-term casual labor" (2005:15). In this way, the attempt to settle the problem of illegal migration opens up a new type of issue, that of providing short-term legalization to unskilled migrant workers.

Given present levels and dimensions of migrations, three issues are likely to dominate the future lobbying agenda: family reunification, political asylum and illegal labor (Givens and Luedtke 2004:156). As we will see in the Chapter 6, all these matters have been already placed on the agenda of pro-migrant groups. These issues have emerged in spite of "new policy incentives for state actors to crack down on immigration" (Givens and Luedtke 2004:149). Moreover, as the member states of the EU lose control on these issues, and as the EU works to harmonize national policies into a single European policy and perspective, new opportunities and imperatives for lobbying face pro-migrant groups (Papademetriou 2004:149).

As the EU becomes an arena for lobbying for pro-migrant organizations, some issues that are specific to it also become important items on the lobbying agendas of pro-migrant groups. They include the promotion of a harmonized migration policy for the EU's external borders and for the so-called Third Country Nationals (Third Country Nationals – TCNs – are legal residents in a EU country but they do not hold citizenship of any member state. Given this, they cannot exercise the freedom of movement within the EU). Efforts to harmonize national and European interests in matters of migration stem from the diversity of national regimes governing migration. This diversity makes it difficult for EU institutions to adopt a coherent approach on this issue. In a major study of national differences and European convergence on immigration, conducted between 1990 and 2002, Givens and Luedtke pointed to three major sources of difference between European countries: variation of their positions on migration in time, across policy areas and between subjects (EU nationals vs TCNs) (2004:4). The study covered three European countries (France, Germany and U.K.) and a number of areas of policy about migration: illegal immigration, political asylum, family reunification, legal labor immigration and anti-discrimination. While there was evidence of convergence of national policies in all these areas, convergence was higher for the first four dimensions (illegal migration, asylum, family and legal labor) dealing with immigration control. A tradition of cooperation between EU member states started developing from these issues several decades ago. The harmonization of national approaches to anti-discrimination results from the EU' s Racial Equality Directive (2000) that requires member states to implement similar legislation against racial discrimination (Givens and Luedtke 2004:9). The matter of citizenship rights remains contentious between member states because "Citizenship policy is heavily linked to distinctive national identities and histories" (Givens and Luedtke 2004:10).

1.3 The Evolution of EU policy on immigration

The evolution of the EU' s migration policy to date forms the context in which the pro-migrant groups function. The evolution of this area of EU policy goes to the heart of the EU project. Since 1958 when the Treaty of Rome came into effect, all major EU initiatives aim at the same goal: the strengthening of the supranational principle of the free of movement within an EU space without internal borders. Nevertheless, the emergence of a semblance of an EU policy on migration that applies equally, and supra-nationally, to all member states has been slow to evolve. As EU policy has evolved, progressively, more and more areas governing migration have come to be legislated at the EU level. However, until 1999 when the Amsterdam Treaty was adopted, the patterns of cooperation between member states on migration and asylum were grounded on intergovernmental rather than on supra-national arrangements. Until then, migration and asylum policies in the EU reflected more the member states' interests than EU common concerns.

Starting with the Amsterdam Treaty, matters of asylum and immigration were moved from the remit of intergovernmental cooperation into the jurisdiction of Community institutions. The Amsterdam Treaty stated explicitly what the EU's new responsibilities in the area of migration were: border controls, asylum, visas, immigration and cooperation on civil justice. These enlarged EU powers on migration issues derived from including the 1985 Schengen Agreement between France, Germany and the Benelux countries in the EU institutional framework through a protocol annexed to the Treaty. The Schengen Agreement aimed to "address the formation of a frontier-free area within Europe" (Sassen 1999:127). Though originally drafted in 1985, disputes between the initiators on matters such as drugs, data protection and bank secrecy, delayed its implementation past the original January 1, 1990 deadline. Eventually, the Agreement took practical effect only in March 1995, after a further five years' delay. The Schengen Agreement abolished the internal borders between the signatory countries and brought

the control of the external borders of the 5-country area under the regulation of a common visa regime, common stipulations for procedure at land and coastal borders and extensive police cooperation (Grabbe 2000:7). This move, a significant if partial realization of the Treaty of Rome's aim of removing internal borders naturally strengthened the distinction between the citizens of this 5-country grouping and outsiders even as it weakened the distinctions among them. This was the origin of the tendency in EU migration policy towards creating a 'Fortress Europe'.

However, even the Amsterdam Treaty did not create anything so simple as a common EU migration policy for all its member states. In the first place, only 13 of the 15 EU member states came to be covered by the Schengen Protocol: with Denmark opting into the Schengen agreement in 2001, only the U.K. and Ireland remained out of the agreement "to abolish mutual border controls and allow full freedom of movement and residence for their nationals within this space" (Givens and Luedtke 2004:1). Britain was opposed to the idea of abolishing the control at internal borders. Ireland followed Britain due to the common travel area between both countries.

Secondly, two non-EU member countries, Norway and Iceland, also joined the 'Schengen area'. Thus, the Schengen space is both larger and smaller than the EU area. The Amsterdam Treaty (1999), as instrument of EU policy also has other limitations. Although it transferred matters of migration and asylum from the intergovernmental to the supranational area, decisions on these issues continued to be made on an intergovernmental basis until 2004. Nevertheless, this Treaty is the most serious attempt to create a European common policy on migration and asylum.

More recently, in 2004, the European Council agreed on another supranational initiative in this area: a new program for Justice and Home Affairs. This programme will form the focus of migration policy of the EU for the next five years (by 2009). Also known as the Hague Program, it commits the EU to, among other things, harmonize the asylum procedure across the EU by settling a commonly agreed procedure on asylum as well as on the refugee status.

1. 4 Chapter Outline:

Chapter Two examines the literature on pro-migrant organizations and European interest groups. It presents the major theoretical models employed by our analysis (multi-level governance and policy network) to look at how they fit to the case of pro-migrant groups. The same chapter attempts to place pro-migrant organizations in the theoretical context of social movements.

Chapter Three looks at present and past immigration tendencies and provides a brief historical review of European policy on migration and asylum. The European perspective on these matters is supplemented by a short reference made to two UN Conventions. The Geneva Convention (1951) preceded the main European stipulations on migration, being the first international agreement settled on refugee matters. The Convention on Migrant Workers and Members of their Families (2003) seeks to address certain critical issues on migration that are often either omitted or poorly treated by legal provisions: rights for undocumented workers, measures taken against the arbitrary expulsion of legal migrant workers.

Chapter Four looks at the business groups and public interest groups in order to lay the groundwork for a comparison between them and pro-migrant groups. Chapter Five goes on to deal with the pro-migrant organizations and examines both the opportunities and obstacles met by all interest groups and in particular, by pro-migrant organizations. We examine these issues from two theoretical perspectives: multi-level governance and policy network, each of them pointing to a particular type of lobbying opportunities. Our main goal is to find out whether or not pro-migrant organizations have access to the same lobbying opportunities as business groups and public interest groups. If they have access to similar lobbying opportunities, pro-migrant

organizations are likely to be as successful as the other two groups. Finally, Chapter Six then discusses how pro-migrant groups manage their domestic and European lobbying opportunities and overcome the obstacles they face based on the primary data collected through the questionnaire and interviews.

The Conclusion goes back to our two hypotheses and examines both lobbying similarities and differences between the three interest groups researched.

Chapter Two - Theoretical Perspectives

This study of pro-migrant groups is faced with a diversity of theoretical models under which this topic might be subsumed on the one hand and poor existent literature on it on the other. This chapter attempts to put together the available literature on this issue and indicate how we are going to investigate these groups. We begin with a consideration of the specificity of pro-migrant groups as interest groups. We go on to brief reviews of the literature on European interest groups in general and on pro-migrant groups in particular. Then, we open up the discussion of pro-migrant groups regarded as social movement organizations. The next section reviews the two theoretical models employed for dealing with pro-migrant groups and with their lobbying interactions: multi-level governance and policy networks. The final part of this chapter presents the methodological approach followed by the thesis and points out the main research argument that leads the analysis.

2.1 The Literature on European Interest Groups

Although interest groups have been active at the European level since the creation of the European Economic Community in 1958, the literature on these groups is still scant. A possible explanation lies in the fact that until the adoption of the Single European Act (1986) much of the lobbying at the EU level was undertaken by national organizations through national politicians and administrative structures (Mazey and Richardson 1993:4) since most power was, until then, concentrated in international bodies, such as the Council of Ministers, rather than supra-national ones. Following the Single European Act that launched a tight schedule for the completion of the internal European market, European interest groups and their supra-national activities gained visibility at the European level. The literature has already coined a term for them, Euro-groups

(see Greenwood (2003), Geddes (2000)). This notion has become part of both academic and political discourses.

A special focus of the literature on Euro-groups is the distribution of these groups across the spectrum of European interests. According to the directory of European Community Trade and Professional Associations, around 50% of Euro-groups represent industrial and commercial employers' interests. About 25% are related to agriculture and food, and around 20% are connected with the service industries. However, only 5% of Euro-groups represent trade union, consumer and environmental interests (Mazey and Richardson 1993:7). Social interest groups, including migrants' interests represented at the European level are also covered by these 5 percent. Estimations of the number of Euro-groups indicate us a considerable increase from 400 organizations in the 1970s to 2000 by 2001 (Watson 2003:8).

The most common approach to interest groups other than business or trade union groups is to see them as social movements. Social movements are seen as "informal networks based on shared beliefs and solidarity which mobilize about conflictual issues through the frequent use of various forms of protest" (Della Porta and Diani 2002:6). Following a similar logic to that of the social movements, public interest groups, other than business or trade unions, also attempt to produce social change to the benefit of their constituencies. In the social movement literature, they are often regarded as catalysts of this change. The efficacy of these groups and movements can be analyzed thorough the "discursive and political opportunities and constraints that challenge them in attempting to realize social change" (Koopmans and Duyvene 2005:52). For this reason, the "social movement organizations" model (McCarthy and Zald 2002:85), described below in relation to pro-migrant groups provides a suitable analytical framework for them. This thesis approaches pro-migrant groups as particular forms of social movements, called social movement organizations.

Another relevant element in the analysis of Euro-groups is the study of motivations that drive individuals in collective activities. This emphasis is characteristic of the collective action literature. In this view, individual participation in collective action occurs only if the benefits received by individuals outweigh the costs (Olson 2003:123). To put it differently, rational people with common interests do not automatically pursue them collectively. Only in special circumstances is it both possible and worthwhile to use "selective incentives" to determine people to act collectively. These "selective incentives are constraints or inducements that an individual actor may gain or lose contingent upon whether the actor contributes to collective action" (McCarthy and Zald 1979:10). This theoretical model shows that mobilization of both people and resources requires enterprise and effort. The research presented in this thesis examines how four pro-migrant organizations manage their lobbying initiatives nationally and in the European arena. The following analysis goes beyond the matter of selective incentives looking at how these groups create lobbying opportunities, build solidarity and raise consciousness of common interests.

In addition, this thesis investigates pro-migrant organizations' behavior throughout the lobbying process. The current literature is inclined to value either the agenda-setting phase of the lobbying cycle or the impact of the employed lobbying strategies. This narrow approach concerned primarily with the finality of the lobbying process, omit the relevance of the other lobbying sequences. A number of other limitations of the literature may be noted. Firstly, most studies of interest groups tend to be very empirical in their approach. Most frequently, case studies are not backed up by consistent theoretical approaches, oversimplifying the investigated problem. As such, they do not provide much theoretical guidance for anybody interested in developing research in this area (e.g. Rowe, Grant and Spence 1993). Secondly, the literature on Euro-groups often overemphasizes the organizational structure of the European institutions (e.g. The European Commission) at the expense of investigating the lobbying role of the interest

groups (Donnelly 1993). Exceptions are also noticeable in relation to this point. For instance, Hull looks into the lobbying venues provided by three European institutions: Commission, Parliament and the Council of Ministers (2003). Thirdly, the majority of studies on this topic focus on a particular type of interest group, such as environmental or business interest groups, and on the lobbying relationship they develop with European institutional targets. This narrow focus excludes any possibility of making inter-group comparisons either in terms of the lobbying strategies pursued or mutual influences. (Examples of studies on environmental groups include: Bursens Peter, Biliouri Daphne, Ruth Webster while examples of those focused on business groups include: Maria G. Cowles, Bennett Robert, Coen David). By contrast, the analysis in this thesis seeks to overcome these shortcomings by investigating the lobbying patterns of pro-migrant groups in comparison with those developed by other interest groups. A particular emphasis is placed on examining whether or not pro-migrant groups make use of lobbying techniques similar to those employed by the most prominent interest groups active in the European space. This analytical comparison will indicate if pro-migrant groups commence acting as European lobbying actors.

2.2 The Literature on Pro-migrant Groups

The literature on pro-migrant organizations in Europe is still incipient and characterized by small-scale initiatives in the form of articles. They are, moreover, focused mainly on the national level. Only two writers, Geddes (1999; 2000; 2002) and Favell (1999) shift the emphasis from the national to the European forms of organizations of pro-migrant groups. Geddes uses a special term for defining these new types of interest mobilization at the EU level: "transnational advocacy networks": "These networks [patterns of cooperation between the domestic and European pro-migrant organizations] are composed of activists bound by shared values, a common discourse and dense exchanges of information and services able to draw from 'resource-

rich' international organizations and feed back into the domestic context" (1999:5). The authors' theoretical arguments are that transnational advocacy networks allow 'resource poor' actors at national level (such as women's movement, human rights campaigners, environmental campaigners and pro-migrant groups) to seek new opportunities with 'resource rich' international organizations that offer transnational venues for protection of diffuse interests. As a result of this cooperation, national level actors are exposed to internationalized practices and discourse of entitlement that once adopted locally may enhance the status of 'resource poor' actors. The distinction between 'resource rich' and 'resource poor' actors is a useful tool for our analysis. As migrants are usually a stigmatized and marginalized group, their access to resources is pretty narrow. In effect, it is presumed that their leverage is also limited. For these reasons, our attention is turned to the 'resource richer' organizations, mostly NGOs that defend migrants' interests and conduct lobbying activities both locally and at the European level.

However, the wider literature, though focused on national level organizations and activities, is still helpful for the purposes of this thesis. Gray and Statham (2005) bring into the discussion British pro-migrant groups. Their analytical approach takes into account how four types of British-based NGOs, with different funding bases, have adapted to the European-level developments in the areas of migration and asylum. The political levels at which their influence is assessed through interviews are: European, other countries, national, and regional and local. The 19 most important British NGOs analyzed fall into the following classes: national NGOs that receive some state funding, national NGOs which remain financially independent of the state, British branches of transnational NGOs and NGOs with a European scope that are based in Britain and receive some funding from one or more EU institutions (e.g. the European Council on Refugees and Exiles receives funds mainly from the European Commission and the Council of Europe). Research conclusions point to the fact that several former national NGOs have become multi-level in their activities (5 of 15 national associations), following several bottom-up

pathways to Europe. This feature demonstrates that national NGOs have transformed their organizational structure to respond better to the Europeanisation of migration and asylum issues.

It is widely recognized in the literature that the emergence and maintenance of several pro-migrant groups operating at the EU level takes place with the financial help of the European Commission. The Commission's motivation arises from its concern with attenuating its democratic deficit and with bridging the gap between its agenda and citizens' needs. This mutually reinforcing relationship between the Commission and pro-migrants groups can be both helpful and limiting. On the one hand, this reciprocal dependency facilitates the creation of partnerships between the groups and the EU. On the other hand, the pro-migrant groups' financial dependence on the Commission casts some doubt on the autonomy of their lobbying initiatives.

The aggregation of migrants' interests at the national level is another focus in the literature. The notion usually employed for designating migrants' activism is that of political participation (Martiniello) rather than lobbying. It does not mean that lobbing activities are absent from the domestic arena. But migrants' involvement in mainstream political institutions is a recent phenomenon, facilitated by liberalization of nationality laws and by the extension of local electoral rights to foreigners in Denmark, Finland, Ireland, the Netherlands and Sweden: "Migrants have always been involved in politics either outside or at the margins of the political systems" (Martiniello 2005:7). Initially, the most common forms of migrants' participation were: boycotts, sits-in, hunger strike, protests. More recently, however, a different face of migrants' participation appears in the literature. For instance, in both the Netherlands (Tillie 2005:9) and Sweden (Soininen 2005:9), the literature is primarily concerned with the electoral behavior of migrants. In Britain, an issue of interest is the representation of minorities [individuals who hold citizenship] in the elected assemblies (Geddes 2005:9). The British literature is also about the political color of migrants. The old political partisanships of migrants have been blurred nowadays. If historically, West Indians and Asians had pro-Labor preferences, at present, their

votes are more evenly distributed across parties (Martiniello 2005:9). The French literature also approaches the impact of ethnicity on the political system. Its key tendencies are articulated around the following topics: the Jewish influence in the French political life, the immigrant local councilors in France, the Sans Papier Movement and the religious political mobilization around secularism and issues regarding the veil (Martiniello 2005:8). The review of literature on pro-migrant groups identifies a couple of issues critical for analyzing the European and national lobbying patterns of pro-migrant groups: forms of cooperation (alliances) settled between various sorts of pro-migrant groups (national and European) and relationship established between European institutions and these pro-migrant organizations. These two aspects also serve as comparative basis for examining the distinctions and commonalities between the lobbying patterns developed by all three interest groups (pro-migrant, business and environmental).

2.3 The Specificity of pro-migrant groups

"Changes in the distribution of power between Member States and the European Community have prompted a proliferation of interest groups lobbying at the EC level" (Mazey and Richardson 1993). The Single European Act (1986) together with its project of completing the internal market, including the free movement of goods, services, capital and persons by 1992 gave a serious impetus to the emergence of interest groups at the European level. Pro-migrant organizations have become active at the European level since the early 1990s, particularly when the Amsterdam Treaty (1999) sought to bring the intergovernmental cooperation on migration and asylum in the hands of the European Community (Geddes 2000:636).

Nowadays, with various forms in which international migration takes place - economic, family, ethnic, asylum seekers, illegal – (Geddes 2003:1) and the expanded scale of immigration into Europe, some issues are constant on the lobbying agenda of pro-migrant groups in the EU:

rights of free movement extended to the third country nationals, anti-discrimination provisions prohibiting ethnic-based and religious discrimination and asylum policies (Geddes 2000: 638).

Pro-migrant groups are human rights associations, church-based organizations and NGOs that campaign for migrants' rights or welfare (Geddes 2000:638, Gray and Statham 2005:5). Their demands are focused on migrants, namely individuals who do not hold the citizenship or nationality specific to the country where they live: "asylum-seekers, refugees, detainees and migrants" (Gray and Statham 2005:5). An additional point to be stressed here is that none of the authors mentioned in the Literature section include organizations of migrants themselves among pro-migrant groups.

Two prominent pro-migrant groups give us an idea of their activity and effectiveness at the EU level. The two groups have very different origins. Whereas the European Commission created the EU Migrants Forum, the Starting Line Group emerged by the initiative of three independent organizations. The Starting Line Group was formed in 1992, at the initiative of the British Commission for Racial Equality, the Dutch National Bureau against Racism and the Churches' Commission for Migrants in Europe is a coalition of more than 400 NGOs, trade unions, churches, independent experts and academics from across Europe. Their campaigns were based on the idea that a well-informed policy debate in which representatives of all sectors of society (business, public, private) are involved might lead to the adoption of EU legal measures to combat racial and religious discrimination. The anti-discrimination proposal formulated by the Starting Line Group after the collection of numerous views across Europe worked as model for the Race Directive adopted by the European Council in 2000 (Race Directive, see European Documents). In 1991, the European Commission created the EU Migrants Forum. This organization "speaks for 130 migrant associations [grassroots organizations] that hold an annual general assembly and elect every other year an executive board and executive committee" (Guiradou 2001:10) The European Commission' s main motivation was to "increase

Commission's legitimacy as spokesperson for civil society by engineering an official channel of interest representation" (Guiraudon 2001:8). Even if the EUMF was an organization often characterized by "different agendas that were often linked to the national pre-occupations of constituent groups rather than a focus on EU developments" (Geddes 2000:11), a constant demand has been citizenship rights for the third country nationals. One of the occasions when the EUMF acted as defender of citizenship rights was the pre-Amsterdam intergovernmental conference (1998). In those circumstances, the EUMF proposed the amendment of Article 8a of the EU Treaty to read: 'Citizenship of the Union is hereby established. Every person holding a nationality of a member state or who has been lawfully residing in the territory of a member state for five years shall be a citizen of the Union' (Geddes 2000:9). The Amsterdam Treaty did not incorporate the EUMF's demand. It acknowledged European citizenship and the rights associated with it (freedom of movement, right to vote and to stand as a candidate at municipal and European elections, entitlement to diplomatic protection, right to petition) only for nationals of the member states (Amsterdam Treaty, see European Documents). In doing so, the Amsterdam Treaty did not settle the inequality of treatment between EU nationals and third country nationals: "Citizenship of the Union is hereby established. Every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall complement and not replace national citizenship" (Article 8a (1), Amsterdam Treaty 1999). This brief analysis of the nature of pro-migrant groups leads to a major research question. Bearing in mind the short lobbying history of pro-migrant groups in comparison to both business and environmental associations, their specific lobbying agenda and the diverse organizational forms they taken, what lobbying differences and similarities between all three interest groups might be distinguished? The common elements resulted from this comparison will show the presence of agreed lobbying practices between interest groups both in the national and European arenas.

2.4 Pro-migrant Groups as Social Movement Organizations

There is little theoretical or empirical analysis of pro-migrant groups on which a thesis such as this can rely. Starting out more or less afresh, we propose to treat them with the help of the "social movement organizations" model (McCarthy and Zald 2002:85). "The reason for which McCarthy and Zald do not include organization within their definition of social movements is that they have a separate concept, 'social movement organization' (SMO), which covers it" (Crossley 2002:85). A social movement is "a set of opinions and beliefs in a population which represents preferences for changing some elements of the social structure and/or reward distribution of a society" (McCarthy and Zald 1979:216). A social movement organization is the "complex, or formal organization which identifies its goals with the preferences of a social movement . . . and attempts to implement these goals" (1979:218). In both authors' perspective, the social movements are never fully mobilized because those holding opinions favoring change will always outnumber those who participate in social movements. For this reason, the complex and formal structure of social movement organizations will become vehicles of social movements. In effect, social movement organizations will determine the movement's goal and program, strategy and tactics (Zald and McCarthy 1979:217). The current analysis is grounded on this theoretical perspective, looking at how pro-migrant groups mobilize themselves, define their lobbying objectives and experience success or failure in their lobbying campaigns.

The emergence of pro-migrant groups operating at the European level is the result of two interacting needs: on the one hand, the commitment to formulate policy related to refugees and immigrants at the European level prompts pro-migrant groups to extend their activities to cover the EU level. On the other, the EU's own harmonization processes assume the existence of such organizations that will express the interests of the concerned constituency.

A major incentive for migrants' mobilization is also located at the national level. National governments of the EU have an ambivalent attitude toward immigration. They increasingly need

to and do open up their economies to migration flows. At the same time, their migration policies and rhetoric are still centered on the old conceptions of the nation-state (Sassen 1999:4) that include a good dose of anti-immigrant sentiments and orientations. The need to bring national migration policies in line with the needs of migrants in this context is a key reason for the emergence of pro-migrant groups.

The conceptualization of pro-migrant groups as social movement organizations helps us to delineate a few characteristics of these groups. "Movements, even and perhaps especially movements of powerless groups, depend upon the resources and support of more powerful, richer (in various resources) but also sympathetically disposed groups" (McCarthy and Zald 2002:87). What kinds of consequences do this have on the pro-migrant groups? Bearing in mind that in most cases these groups have limited access to resources as a result of their narrow social recognition and low economic status, we may see them as powerless groups. A highly predictable consequence will be pro-migrant groups' tendency to create alliances. This theoretical assumption is a research hypothesis whose validity will be checked in the sixth chapter centered on lobbying interactions in the migration area.

Statham and Mynott have identified another distinctive feature of pro-migrant organizations: "Anti-racist and pro-migrant movements present an important challenge to social movement theory. Broad-based anti-racist and pro-migrant movements constitute examples of altruistic mobilization where demands are made on behalf of a beneficiary that is distinct from the constituency who makes it" (2002:2). And as McCarthy and Zald point out, "Altruistic mobilization occurs when beneficiaries are too weak to make autonomous demands on political institutions" (2002:4). It is therefore not surprising that many pro-migrant groups are groups consisting of non-migrants who voice the interests and needs of a group to which they do not themselves belong. These kinds of groups represent the main focus of the current analysis.

However, it is important also to note that there are now important migrants' groups that are organizations of and led by migrants themselves.

The most prominent example of such a movement is the Sans Papier Movement (Sans Papier Movement, Homepage). The Sans Papier Movement started in France in 1996, when 300 migrants occupied a church in Paris and brought their case to the public. Now, the activities of this Movement cover almost all Europe. There is a blending of factors that account for the widespread character of this migrant movement: lateness in adopting European regulations on migration and asylum seekers (as we discussed above), state's contradictory attitude and practices in stimulating economic migration and at the same time framing the issue in terms of nationalism, racism, national sovereignty and border control (Sassen 1999:78), states' inability to face and manage the migration flows and large numbers of people who did not fit in the legal categories designed by the European treaties (Sassen 1999:88). The Sans Papier Movement seeks to defend the interests of the undocumented, those without papers or sans papier immigrants. The other terms used for designating the same category of immigrants are: "refugees', "illegal immigrants", "asylum seekers", "economic refugees", "stateless persons" or "non-persons". The Sans Papier Movement has created various spaces of representation and activism across Europe. In Germany, one of its representatives is Mujeres sin Rostro (Women without faces), a network of undocumented migrant women based in Berlin. Their central goal is to fight for a work contract and against the unsafe and abusive work conditions experienced by undocumented domestic workers at present: "We are workers and therefore we have a right to have rights. We don't want to be abused sexually in our workplace, we want higher salaries and finally, to work in dignity like every one of you" (Encarnacion 2003:154). The claims of this group are formulated in terms of commonly accepted values. Similar organizations of undocumented immigrants may be found in Italy (e.g. a migrant women's theatre group called Teatro Citadini del mondo), Switzerland, France (e.g. - Association Solidarite Mauricienne d'Europe), Portugal, Spain (e.g.

Eskalera Karakola), Britain and Belgium (Encarnacion 2003:153). The scale of this movement indicates how poorly the undocumented migrants' conditions are regulated across Europe. Moreover, the impact of these movements is dependent on national circumstances. For instance, in Germany, in contrast to both France and Belgium, activists have to take precautionary measures in public spaces, "owing to the constant threat of deportation" (Encarnacion 2003:154). In France, the influence generated by the Sans Papier Movement reached a peak moment in 1997. At that time, the government started changing recruiting policies for immigrants by supporting the employment of highly skilled ones. This success was generated both by an ample public debate on immigration in France and by the Sans Papier Movement's protests.

In this thesis we look at both types of organizations. Of the four organizations in our sample, the Joint Council for the Welfare of Immigrants – U.K., Office of Refugee Policy, the Catholic Bishops' Conference of England and Wales and Franciscans International Geneva Advocacy – Switzerland are all organizations in which non-migrants work on behalf of migrants. However, the Dutch network, Refugee Organizations, represents the interests of 400 associations of refugees and asylum seekers themselves.

2.5 Multi-level governance and policy networks

The analysis of pro-migrant organizations' lobbying is rooted in two theoretical perspectives: multi-level governance and policy networks. The multilevel governance model is employed for locating interest groups between national and European systems. The policy network perspective is an analytical tool for examining the lobbying interactions shaped in given policy environments, domestic and European. A brief description of both these models as well as of their relevance to the study of interest groups follows below. This section ends with a discussion of how the two frameworks are brought together for the purposes of this study.

Multi-level Governance

The approach to the study of interest groups which best captures the nature of their activity in the EU is multilevel governance. Hooghe states, "Multi-level governance emphasizes power-sharing between various levels of government with no center of accumulated authority" (1999:329). The lack of centralized authority does not create an arbitrary system because "Variable combination of governments on multiple layers of authority: European, national, sub-national constitute policy networks for collaboration" (1999:329). In essence, this theoretical position states that there is an interconnected relationship between subnational, national and European arenas coupled with a complex decision-making process that involves actors at different levels across which competencies are dispersed. The interactions between these levels of authorities occur in two ways: across different levels of government (vertical dimension) and with other actors within the same level (horizontal dimension). In both Hooghe's and Mark's view, there are two ideal types of multi-level governance: type I of governance organized around a limited number of non-overlapping jurisdictions (international, national, regional, local) at only few levels that carry out multiple tasks and type II of governance grounded on a large number of task-specific and overlapping jurisdictions placed at different territorial scales (2001). Since the type II multi-level governance is composed of specialized jurisdictions, operating at various scales and handling particular policy problems, it works as analytical ground for all examined interest groups.

From a multi-level governance reading, the European integration process modified domestic interactions of member states not only by creating a supranational level of governance but also by prompting the emergence of a third distinct level of governance: regional. Thus, multi-level governance characterizes the European system. We can expect interest groups to work at local, regional, national and supranational levels to promote their interests. Each act can have implications beyond the arena where it emerged as a result of the "loose coupling" between

various arenas (Weick 2002:343): "decisions in one arena don't completely determine decisions in other arenas but only influence parts of the decision premises" (2002:343). In addition, the complex and open character of multi-level governance provides "a multitude of points of access for organized interests" (Benz 2002:6). This view is shared by Constantelos: "In multi-level governance, interest groups at any territorial level are free to lobby government at any number of levels" (2004:216). The main rationale for it lies in the new feature of the European governance, the plurality and empowerment of supranational, subnational and non-state actors. In this kind of system, actors, arenas and institutions are not ordered hierarchically anymore. Interest groups' activities in multi-level governance systems may be "bilateral patterns of interactions" (participant actors coming from European institutions as well as from national governments) or "multilateral patterns of interaction" (where "several national or sub-national representatives from decentralized authorities simultaneously negotiate with European actors" (Benz 2002:2). In addition, the multi-level governance model manages to comprise the entire dynamic of the present European context: "The multi-level approach captures the realities of European interest intermediation better" in comparison with other main theories (neo-functionalism and inter-governmentalism) that envisage merely a narrow access to power (Eising 2004:21). The latter assumption has been based on research conducted on a sample of over 800 European individuals active in the interest representation area. As a result of comparisons made between five types of actors (European, national, occasional, niche and multilevel players), Eising noted: "multilevel players are clearly more active, specialized on representing interests and present throughout the entire policy cycle at both the EU and national levels than the members of the other clusters" (Eising 2004:224). Consequently, the multi-level governance system works as a stimulating and open framework for all interest groups. The flexibility of this system, which permits interest groups to operate in multiple arenas, also enables them to make use of a variety of interaction tools: "Multi-level governance combines various modes of interaction: competition, bargaining

based on self-interests, negotiations to build consensus, majority decisions and hierarchical imposition" (Scharpf, in Eising 2004:216). This view provides us the grounds for studying how interest groups are articulating their lobbying interactions, regardless of the complexity of their arrangements. In addition, as the state looses its traditional role of 'gatekeeper' in hierarchically organized activities, political space becomes open to horizontal cooperation networks among actors, facilitating groups' mobilization. These increased opportunities for participation together with networking and cooperation seen as new forms of interaction serve also as arguments for selecting multi-level governance as analytical framework for this thesis.

Policy Networks

Policy networks are subject to different readings. "Simply put, policy networks are arenas in which decision-markers and interest come together to mediate differences and search for solutions" (Nugent 2003:490). From this perspective, policy networks can be categorized in accordance with three elements: stability/ instability of network membership, permeability of networks and strength/ weakness of resource dependencies (Peterson 2003:491). Starting from these characteristics, a continuum might be traced: "At one end are tightly integrated policy communities in which membership is constant and often hierarchical, external pressures have minimal impact, and actors are highly dependent on each other for resources. At the other are loosely integrated issue networks, in which membership is fluid and non hierarchical, the network is easily permeated by external influences, and actors are highly self-reliant" (Peterson 2003:491). Both kinds of networks will be mentioned throughout this thesis. To conceptualize all three types of interest groups (pro-migrant, business and public interest), community policy is a helpful analytical tool. But there are also circumstances when interest groups constitute loosely integrated and short-term coalitions (issue networks) for defending more effectively their lobbying agenda. This case is also considered by the present thesis.

Other approaches define policy networks as "informal interactions between public and private actors with distinctive but interdependent interests who strive to solve problems of collective action on a central, non-hierarchical level" (Schneider 1997:6). This perspective brings to the fore two aspects. First, it points to the dynamic and informal nature of the relationship between the participants in the decision-making process. Second, actors in this view may be widely diverse and their interactions may not at all be confined to a particular arena. For instance, the International NGO Platform on the Migrant Workers' Convention is a coalition of NGOs aiming to promote the UN Convention on Migrant Workers. This coalition is made up of human rights organizations, pro-migrant groups, catholic associations (e.g. Franciscans International) and public sector unions. This sort of dynamism and multiplicity is not captured by the pluralist and corporatist approaches. To both pluralism and corporatism, the process of political influence is limited to the boundaries of a single jurisdiction. In their view, the lobbying process occurs with the participation of two categories of actors: state and interest groups (Jordan and Schubert). The policy network model reconceptualizes this distinction in terms of "public and private actors coming from different levels and functional areas of governance and society" (Jordan and Schubert 1992:11). This perspective has a higher applicability, transgressing state boundaries and covering both the national and European arenas.

There are other characteristics that account for selecting the policy network perspective as the analytical model for this thesis. The policy network approach manages to capture the essence of the present European context where interest groups operate: "The concept of policy network is able to conceptualize the emerging form of governance without government" (Rosenau 1997:14). Instead of the state-centric conception of governance based on hierarchical coordination, the policy network approach assumes that European governance is characterized by "a multiplicity of linkages and interactions connecting a large number of actors from all levels of governance and society" (Kassim 1997:10). Negotiation becomes the mode in which the

decision-making process is conducted. As the policy-making power is not any more subject to governments' monopoly, domestic actors may also get access into the European arena and influence the decision-making process. Given this, national interest groups are prone to exercise the same leverage as European organizations. Moreover, the policy network creates the capacity to subsume different interests in order to attain joint outcomes in a largely informal process: "Networks are able to produce collective outcomes despite diverging interests of their members through voluntary bargaining" (Borzel 1997:6). Thirdly, this theoretical perspective has a high flexibility, being easily adjusted to different circumstances where interest groups act. For instance, in the context of horizontal coordination within networks, interactions may develop in many ways (i.e. across sectors, within the same sector) opening up possibilities for establishing alliances between interest groups of different profiles. As a policy network is an area of ongoing negotiation, there is an increased dependency between participants. One of the main forms of this dependency is seen at the level of resources. The mutual dependency on the others' resources might facilitate cooperation and alliance as the prevailing means to manage inter-group relationships. Usually, these alliances have a mutable character, being constituted around those actors who possess the most precious resource for a particular context whether they are supranational, regional, national or local. A Policy network is also a highly inclusive system that incorporates "all actors involved in the formulation and implementation of policy" (Schneider 1997:6). Different kinds of interest groups, ranging from traditional ones (e.g. business groups) to news kinds (e.g. pro-migrant organizations) can be analyzed in this approach. It also allows us to describe and measure the relational configurations settled between the participants in the network. In addition, both policy networks and interest groups are committed to the same public imperative, that of enhancing the efficiency of the political system: "policy networks are responses addressed to settle the 'efficiency-related' problems from the public policy" (Le Gales 1997:6). Another reason for selecting policy network model stems from its approach towards

policy process. Policy network facilitates the investigation of the whole policy process, from policy formulation to policy outcomes.

Looking at policy networks and multi-level governance in comparative terms, multi-level governance encompasses a broader range of processes and practices. It also may incorporate narrow approaches like policy networks. In the multi-level governance view, networks and ad-hoc negotiations come to replace the traditional formal arrangements (e.g. legal frameworks or constitutions).

The two perspectives must be combined for the purposes of this thesis. A chief characteristic of both models is the "mutual interdependence on each others' resources" (Benz and Eberlein 1999:329). The assumption that the actors' interactions are based on cooperation rather than on competition for scarce resources works as helpful ground for our analysis. In addition, both perspectives apply to "variable combinations of governments on multiple layers of authority: European, national, sub-national" (Benz and Eberlein 1999:329). Policy networks as well as multilevel governance should be also considered forms of governance say Mayntz, Scharpf and Grande (Borzel). In the policy network case, this attribute comes from its capacity "to mobilize political resources in situations where these resources are widely dispersed between public-private actors" (Borzel 1997:2). Moreover, in Smith's view, policy networks condition the proper functioning of the multi-level governance: "Policy networks are perceived to offer a way "to put governance back into multi-level system of governance": "The European system is a multi-level system of governance where private and public actors of the supranational, national, sub-national level interact with highly complex networks to produce policy outcomes" (1997:11).

The interplay between these two perspectives will help us to test how receptive and accessible the European system is towards the lobbying efforts of pro-migrant organizations. More explicitly, the policy network approach provides us the analytical framework for conceptualizing pro-migrant groups in a network structure. Since, any mention of the network

structure "would be incomplete without making reference to the networks of networks" (Heclo, in Bernd and Mayntz 1991:244) we have to consider pro-migrant groups as part of a larger network represented by all interest groups (network of networks). Given the size of this larger network, we will operate only with the most prominent groups that constitute it: business and public interest. The multi-level governance model will serve as analytical tool for investigating comparatively how pro-migrant groups, business and public interest groups develop their lobbying patterns in two distinct spaces: national and European. Moreover, the same theoretical approach is employed for distinguishing between the domestic and European lobbying opportunities and constraints encountered by pro-migrant groups and the rest of interest groups.

2.6 Research questions

The transformation of the migration issue into a major topic on the European agenda stirs up different forms of public and political action, initiated either by EU institutions in the form of partnerships with NGOs, or by pro-migrant groups. Bearing in mind that the emergence of these interest groups at the European level is a novel phenomenon dating only to about 1990, that these groups represent a constituency which is both economically and politically marginalized, as well as their status as third parties representing migrants' (including here the third country nationals') interests to EU and national governments, our research address the following questions:

Have the pro-migrant organizations developed distinct lobbying patterns, nationally and in the European arena, or are they pursuing lobbying patterns similar to other interest groups, such as business or public organizations? To what lobbying opportunities do they get access at the national and European levels? How do they make use of these opportunities? The responses to these questions bear multifold significance. First, they point out how supportive the European and domestic institutions are to migrants' problems in opening them venues for lobbying their interests. This fact also gives a sense of the mainstream policy followed both nationally and at the

European level: social democratic, receptive to migrants' needs or neo-liberalism, free-market oriented. Second, the answers to these questions indicate to what extent the lobbying techniques and strategies adopted by pro-migrant groups are similar to those promoted by other interest groups. On this ground, pro-migrant groups come to be regarded either as an example of interest groups operating in the national and European arenas or as a distinct case.

Pro-migrant organizations are diverse. They include church-based associations, independent NGOs, national organizations as well as international ones. Their diversity might make difficult the adoption of a common lobbying style. In addition, they represent one of the most underprivileged groups in Europe. In most cases, this group is deprived of social recognition and access to the same resources as regular citizens. Due to their limited resources, one might expect that pro-migrant groups' influence on the European institutions may be small.

On the other hand, both business interest groups and public interest organizations are highly active and multi-level players, participating in the lobbying process nationally and at the European level. In terms of lobbying performance, both organizations take on different roles from gathering information, monitoring the EU process to influencing the European agenda (Greenwood 2003). Despite these differences, this comparison between pro-migrant organizations and other two interest groups is worth making because they are players in the same lobbying arena and aim their lobbying strategies essentially towards the same institutions.

This thesis seeks to answer both these questions by comparing the pro-migrant groups' lobbying patterns with those of business and public interest groups.

2.7 Data collection

The primary data were gathered in a two-phase research process. The first phase consisted of a questionnaire distributed electronically to 17 pro-migrant groups that conduct lobbying campaigns both domestically and in the European arena. The questionnaire aimed to

distinguish how lobbying patterns of pro-migrant groups are articulated at the national and European levels. The low rate of responses (only four out of 17 responded) determined the turn from quantitative to qualitative research. The second phase of investigation proceeded with a structured telephone interview addressed to the four respondents. The research focus was narrower. We followed two major objectives: to identify how pro-migrant organizations make use of domestic and European lobbying opportunities and to distinguish briefly the lobbying history of each organization. Information collected through interview both deepened and broadened the data gathered through questionnaire. The organizations that form our sample come from three countries: Switzerland, Britain and the Netherlands. Initially, the research intention was to make use of a larger sample including other two countries: France and Germany. As the pro-migrant organizations contacted in these two countries did not respond to questionnaire, the final sample included only: Switzerland, Britain and the Netherlands. All 17 organizations to which the questionnaire was distributed have their roots in one of these three countries. To major criteria accounted for the selection of these countries: their attractiveness for migrants (see Chapter 3) and their migration policy. The sample countries have articulated different immigration policies that might be ordered on a scale ranging from assimilation for Switzerland to multiculturalism for both U.K. and the Netherlands (Koopmans 2005:50). Another ground accounts for selecting these countries. A recent research conducted in the area of migration on claims-making of immigrants made use of similar countries sample composed of: Britain, Switzerland, the Netherlands, Germany and France (Koopmans 2005). The results of this research indicate that although Switzerland is not an EU member, it is an interesting case in point. Switzerland has the highest proportion of supranational claims (10%) among the five investigated countries. Given this aspect, the current thesis presumed that a significant amount of Swiss lobbying might be run at the European level. In addition, Switzerland is defined by two contrasting tendencies. On the one hand, it is the seat of many supranational NGOs and institutions (Geneva-based UNHCR). On the

other hand, this country has been reluctant to adhere to international conventions and supranational institutions. As Koopmans pointed out, "Switzerland has after a long and controversial debate finally joined the UN in 2002 and has recently become a signatory to the Convention on the Elimination of all forms of Racial Discrimination (1994)" (2005:13). These characteristics featured by Switzerland motivated its inclusion in the present thesis.

In effect, the resultant sample consists of four organizations, each representing one major type of pro-migrant groups, lobbying both at national and European levels: an independent association (Joint Council for the Welfare of Immigrants – U.K.), a church-based organization (Office of Refugee Policy, Catholic Bishops' Conference of England and Wales), an international NGO (Franciscans International Geneva Advocacy - Switzerland) and an umbrella organization (Refugee Organizations in the Netherlands or Vluchtelingen organisaties is an association of 400 organizations representing the interests of refugees and asylum seekers in the Netherlands) (see more details in Chapter 6). Although to build up this research sample is rather the result of self-selection on the part of pro-migrant groups, it still bears scientific relevance. The organizations that form this sample come close to the typology of pro-migrant groups, mentioned by both Gray and Statham (Theoretical Perspectives Chapter). In addition, all these pro-migrant are active lobbying players primarily in the national lobbying arena. Then, the different domestic context where they operate might affect the way they develop their lobbying patterns.

The questionnaire was designed to uncover the pro-migrant groups' lobbying patterns both at the national and the European levels. It has been developed from Frans Van Waarden' s model of the chief components of policy networks: types of actors, functions, power relations, structure and strategies (Van Waarden 1992:32). We have adapted this model to the main lobbying phases where the lobbying patterns are shaped: establishing lobbying coalitions, promoting immigrants' interests and building up lobbying agendas. Each of these lobbying phases is centered on a key strategy adopted by pro-migrant groups throughout the lobbying

process. The distinction between them gives us an indication of how effectively pro-migrant groups operate along the lobbying cycle and helps us to estimate where their activism is the highest.

The interview collects information that serves as context for understanding the lobbying patterns of pro-migrant groups. It also brings insights into how these organizations commenced and ran their lobbying activities. The interview uses open questions for gathering these data.

2.8 The use of the analytical framework

To articulate the analytical framework, two theoretical perspectives have been employed: policy networks and multi-level governance. Frans Van Waarden' s model on the components of the policy networks (1992:32) represents the key analytical tool used for selecting information on the lobbying patterns of all three investigated interest groups (pro-migrant, business and environmental). As the research data gathered on these interest groups derives from distinct sources (primary sources for pro-migrant groups and secondary sources for the other two groups), some light differences come out. They are expressed with reference to two aspects: ordering and correlating information. For instance, in the cases of both business and public interest groups, the literature in the field allowed operating rather in terms of major phases of the policy life cycle: problem definition, agenda setting, policy adoption, implementation and evaluation (Parsons 1995). The possibility to measure directly the pro-migrant groups' activism in both arenas, national and European, through questionnaire, determined the use of an inductive logic for identifying what lobbying sequences correspond to the key phases of the policy life cycle. In this way, five main lobbying stages had being singled out: building up coalitions (strategy employed throughout the policy life cycle), monitoring problems, framing issues, imposing an issue on the agenda and influencing politicians (see Questionnaire). The multi-level governance perspective is also helpful for the current thesis because it enables a similar research undertaken in both kinds of arenas: domestic and European. Another mention to be pointed out regards the way in which case

studies are presented. In this part of the thesis, the data on pro-migrant groups collected through Van Waarden's model is preceded by a brief analysis of how these interest groups benefit from national and European lobbying opportunities. The essential ground for it lies in one of thesis objectives to check whether or not pro-migrant groups have access to the same lobbying opportunities like the most prominent interest groups. To prove the existence of such kinds of opportunities is a key precondition for developing lobbying patterns.

2.9 Research argument

The argument of this thesis is as follows: given their mission to represent one of the most underprivileged groups and the xenophobic attitudes towards migrants, pro-migrant organizations pursue different lobbying patterns than the most prominent interest groups.

Our analysis rests on two hypotheses. First, we expect that pro-migrant groups make use of both national and European lobbying opportunities, placing a stronger emphasis on the domestic lobbying. As pro-migrant organizations represent a marginal group, their lobbying objectives might be easily attained in the smaller national arena rather than in the European one. Additional factors that account for the higher activism of pro-migrant groups in the domestic arena are the proximity and the greater accessibility of national institutions as well as on the lower costs needed for lobbying at this level.

Second, we anticipate that some of the main differences between the lobbying patterns of pro-migrant organizations and those of the other two interest groups lie in the frequency of lobbying and involvement in the decision-making process. Both business and public interest groups practice lobbying on an ongoing basis, being involved in all phases of the decision-making process. Given the marginal status of migrant groups, it might be expected that their problems are not part of the core political agenda either at the national or European levels. In

effect, we expect that pro-migrant groups will have only an episodic lobbying involvement, when key domestic and European legal acts are about to be adopted.

To check the validity of the first hypothesis the thesis attempts to identify if and how pro-migrant groups make use of domestic and European lobbying opportunities (see Chapter 6). The second hypothesis is examined through a comparative analysis between pro-migrant organizations and the other two interest groups (see Chapter 7).

Chapter Three - Historical Perspectives

"The movement of persons and immigration illustrate the challenge we are facing both in terms of doctrine (share of national power) and in practice. We are taking part today in an intensive game played at all levels and the ongoing process moves very rapidly, seeking all possible paths. An external observer might have the impression he is walking on quicksand. But it is like producing a tapestry: the different speed in decision-making according to the subject and the different forums dealing with it hide the final design that should appear at the end" (Callovi 1993:354).

This chapter analyzes the production of this "tapestry" of doctrine, law and practice relating to immigration in the EU. The goal is three-fold. First, the main tendencies that characterize migration flows into the EU must be distinguished in order to map the lobbying interactions specific to the migration area as well as to emphasize the patterned character of migration. To approach migration as a patterned phenomenon provides grounds for studying its corresponding lobbying interactions in terms of correlated patterns. This section also reconstitutes the critical phases of the migration regime in the countries from which our sample organizations come (Switzerland, U.K. and the Netherlands). The third goal is to understand how and to what extent migration policy has been transnationalized within and beyond the European Union space. This chapter attempts to reach these goals through a discussion centered on the key moments of this transformation.

3.1 The nature and dimensions of migration into the EU

While it is common to see migration as an issue of space, it is often forgotten that "Immigration is a process as much concerned with time as it is with space. People move at particular times in their lives and in those of their families. And their movements occur at certain

times in their country's development and in that of the country of destination" (Roberts 1995:43). Sassen adds a third dimension when she says: "These flows are bounded in space, time, and scale" (1995:133). In brief, the international migrations are patterned and shaped within historical as well as geographical circumstances and by orders of magnitude. The patterns as they pertain to the EU emerge from a context where: "Europe itself changed from an area of emigration towards the New World into an area of immigration in the second half of the past century" (Muus 2001:2). The causes for this change are diverse: decolonisation, the end of the Cold War, the reunification of Germany, the ageing of populations and the need for highly - skilled workers (Muus 2001:2). Other factors to be added here refer to: underdevelopment, poverty in the third and second worlds and the ease of transportation and communication.

In this section, the focus is on demonstrating the patterned nature of migration and analyzing the policy responses to migration formulated by the countries from which our samples are drawn: the U.K., Switzerland and the Netherlands.

Geopolitical systems influence the individuals' decision to migrate. Different political, social and economic constraints in a country may make people seek to emigrate: "We recognize that the reasons for migration (voluntary and involuntary) are complicated: Migration cannot be divorced from the wider international system of economics and politics that shapes the lives of poor people." (Statement on Migration from the Churches Refugee Network (2004), see Reports on Migration).

In addition, "immigration is a group and not an individual process because decisions to migrate are made within collective contexts that include the family and the local community" (Roberts 1995:45). Or, as Tilly put it: "Individuals do not migrate, networks do" (in Portes 1995:46). This type of pattern is mentioned by Portes in relation to labor migration in both its forms, temporary and permanent. In both cases, the individual choice is part of the group's response. The community of origin, faced with lack of resources, encourages individuals to look

for opportunities elsewhere. The collective nature of the decision to migrate rather than the individual one makes this phenomenon more predictable.

A third element involved in the migration decision is related to past patterns of migration (Sassen 1999:137). For a long time, migration occurred along the former colonial bonds, constituted primarily around Britain, Belgium, France and the Netherlands as receiving countries. In this way, former migration flows prescribed the paths for current ones. "After World War II and into the 1950s, the vast numbers of refugees, displaced persons, and returnees from the colonies wound up providing a needed additional labor supply to the European economies which were in full reconstruction" (Sassen 1997:99). In the 1950s, Italy was the major European labor-sending countries, followed ten years later by Spain, Portugal, Greece and Yugoslavia. In the early 1950s, the main recruiting countries were West Germany, Switzerland and France. These examples indicate that often migration is encouraged directly by the governments of the receiving countries. Or, it takes place "in the framework of a government-supported initiative by employers" (Sassen 1999:137). The governments' involvement in managing migration flows in accordance with domestic economic needs maintain a certain control on this phenomenon by inscribing it in a patterned form. These objective factors underlying the collective nature of this decision make migration a patterned and predictable phenomenon.

The acceleration of migration flows as well as the increased number of countries affected by them gives rise to a dominant migration tendency noticeable across the EU: "International migration towards and from the [then] current 15 Member States of the European Union has resulted in an annual net migration (immigration minus emigration) pattern, which shows important variations in time, but has been above 500,000 for the whole area since 1988" (Muus 2001:46). Behind this trend several other regional patterns may be observed.

One of them consists in turning the old labor-exporting countries into labor-receiving ones (Sassen 1999:110). This category of countries includes Italy, Portugal and Spain. At the

same time, as European enlargement proceeds and the area of free movement becomes larger, immigrants from Spain, Italy and Portugal decide to return home from Germany, France and the Benelux. Following the fall of Communism in Central and Eastern Europe, a new migration flow has moved from East to the West European countries. The new recipient countries are primarily Germany and Austria. Another migration pattern is evident in Central and East Europe. The main Central European countries (Poland, Hungary and the Czech Republic) are both receivers and senders of immigrants and asylum seekers.

Beyond some shared regularities between the countries that form these patterns, there are large differences. The European countries that constitute the research sample for our study (Britain, Switzerland and the Netherlands) were selected on two criteria: their attractiveness for migrants and their domestic migration policy. Examining their patterns of migration requires two perspectives: internal and external.

According to the statistical information provided by Muus (2001), all three countries are seen as desirable destinations by temporary workers (usually, unskilled workers), asylum seekers and highly skilled migrants. Asylum seekers show an greater preference for Britain and the Netherlands. In 1998, Britain was ranked first among countries accepting asylum seekers in the EU with 98,655, the Netherlands followed it, with 45,000 (Immigration Laws, see Reports on migration). In 1998, in Switzerland, the number of asylum seekers reached 41.000 having the highest ratio of asylum applications to population of any country (Migration in Switzerland, see reports on migration). Not being members of the Schengen Agreement, both U.K. and Switzerland have not enacted restrictive access policies required by it at their external borders. This aspect accounts for the large flows of asylum seekers within their territory. As to the Netherlands, under the former Aliens Act (1965), asylum seekers could be granted different kinds of statuses, with different rights attached to them. If the rights given to asylum seekers were lower than those stipulated by the Geneva Convention, they could appeal to request the full range of

rights. The U.K., Switzerland and the Netherlands also figure among the highly skilled migrants' preferences. In all these countries we encounter an upward trend in migration at the end of the 1990s (Muss 2001:37).

To investigate how domestic policies of these countries respond to the migrants' needs, we look at an area where the divergences between states are the highest: granting the right to citizenship (Givens 200:5). The political model adopted by Switzerland is ethno-cultural pluralism. In this case, the community of citizenship is conceived as ascriptive, ethno-cultural community of descent and common cultural traditions, ius sanguinis. Both Britain and the Netherlands follow the civic pluralism model. Here, the nation is sees as a civic community defined by adherence to common political values and institutions, and residence on the state territory, ius soli (Koopmans and Statham 2005:10). Thus, both Britain and the Netherlands allow migrants access to the political community through ius soli or open naturalization. "The British approach to migrant integration has focused on race discrimination policies largely inspired by the United States" (Geddes and Guiraudon 2003:1). The Race Relations Act of 1976 was largely rooted in the USA model. The 1976 Act stipulated provisions for both direct and indirect forms of discrimination made on racial grounds in different areas: labor market, housing and the use of public spaces and allowed scope for positive action. To monitor the implementation of anti-discrimination measures and to initiate investigations if breaches are suspected, a publicly funded, non-governmental body called the Commission for Racial Equality was set up under the same Race Relations Act. "The resultant shift from ostensibly 'color blind' race relations legislation in 1965 and 1968 to the more 'race conscious' 1976 legislation with the introduction of measures against indirect discrimination and provisions for 'positive action' can be linked to the impact of North American ideas on the thinking of key policy actors in the UK" (Geddes and Guiraudon 2003:6). For instance, between 1960 and 1976 three major acts for limiting migration were adopted. The 1962 Commonwealth Immigration Act required any immigrant to obtain a voucher

before receiving the permission to enter U.K. Three sorts of vouchers were provided for applicants. Category A vouchers were issued for those who had already got a job offer in U.K. Category B vouchers were supplied for those who although did not have a job but were deemed to have the abilities needed for serving the British system. The Category C vouchers were issued on a first-come, first-serve basis for those who fell into neither A nor B. The 1968 Commonwealth Immigration Act made a distinction between those UK passport holders who had the right to entry and to remain in Britain and those who did not. The basis of that difference was the principle of partiality, whereby, a passport holder had to be born and naturalized in Britain or had a parent or grandparent born, adopted or naturalized in U.K. In essence, the 1968 Act distinguished between citizens from the old Commonwealth countries (Canada, Australia) who had the right of entry and those from the new Commonwealth area, deprived of this right. The 1971 Immigration Act further restricted the right of entry for citizens from the new Commonwealth countries. According to it, individuals who did not met the requirement addressed by the 1968 Act had to obtain a work permit every 12 months for prolonging their stay. The 1976 Act modified the focus of the British migration policy, grounding it on anti-discrimination provisions. The 2000 Race Relations Act followed the philosophy of the 1976 Act, providing further stipulations against discrimination: "The Race Relations Act of 1976, as amended by the Race Relations Amendment Act of 2000 makes it unlawful to discriminate against anyone on grounds of race, color, nationality (including citizenship), or ethnic or national origin" (Race Relations Act, see European Documents).

In the Netherlands, "anti-discrimination legislation was introduced in a period without any racial conflicts, as a consequence of obligations under international law (the ratifying of the European Social Charter in 1965, the ratifying of the International Convention on Elimination of All Forms of Racial Discrimination in 1969, the ratifying of International Labor Organization Convention No. 111 on Discrimination in Employment and Occupation in 1974 and the ratifying

of the European Convention on the Legal Status of Migrant Workers in 1983)" (World Migration Report 2005). The principle of non-discrimination is recognized in both its forms, intentional and non-intentional and incorporated in different domestic acts, ranging from Constitution to the Dutch Criminal Code. It is also included in several codes of practice on recruitment and personnel selection issued by private sector, national/ local authorities and trade unions. Apart from these general measures, there are special governmental policies that facilitate "a large degree of autonomy for 'ethnic minorities' in the cultural sphere, incorporated minority elites into the policy process through subsidization of representative organizations and their inclusion in the policy deliberation and implementation processes." (Koopmans and Statham 2005:12). Another characteristic of the Dutch system consists in the shift from the identity affirming minority policy of the 1980s to the integration policy of the 1990s. Whereas in the former policy, the emphasis had been placed on multiculturalism and recognition of ethnic difference, the latter type of policy stresses the socio-economic integration of ethnic minorities together with equal opportunities for individuals (Geddes and Guiraudon 2002:12). The General Act on Equal Treatment (1994) came to reinforce the socio-economic integration of minorities through prohibiting unequal treatment in the field of recruitment as well as in the phases of entering in or ending a labor relation. The Commission of Equal Treatment was created as independent body for judging those cases where the 1994 Act has been breached.

The ethno-cultural model of Switzerland is "basically exclusionary, for it is rather difficult to become a Swiss citizen and ethnic minorities hardly benefit from any measure of integration into the host society (especially so at the national level)" (Giugni and Passy 1999:3). In three referendums organized over the last 20 years (1983, 1994 and 2004), Swiss voters rejected laws for facilitating naturalization of second- and third-generation migrants. The eight popular initiatives on migration held since 1970 indicate a similar anti-immigrant feeling. Seven out of the eight initiatives aimed to restrain the presence and rights of foreigners in Switzerland.

Although none of them was passed, they are relevant for a certain trend towards migration within the population. Looking at the governmental policies on migration, we may distinguish two features. After the World War II, in the context of the economic boom, Switzerland recruited Italian workers on the basis of an agreement signed with the Italian government. That policy was called 'rotation model' because it allowed new workers to come in, as others returned home. In the early 1960s, the Swiss government dropped its 'rotation policy' in favor of a policy of integration. "However, the belief — then and now — is that integration takes place naturally in the labor market and in the schools, as well as in associations, labor unions, clubs, churches, neighborhoods, and through other informal networks" (Swiss Forum for Migration and Population Studies 2005, see Reports on migration). Two recent initiatives come to support migrants' integration. One of them is the Swiss Constitution of 1999, whereby the Confederation has been charged to grant asylum. Another act is the Asylum Law that entered into force on October 1st, 1999. According to it, the Federal Council (the highest governmental authority) may grant asylum to groups of refugees. As we may notice, the fact that Switzerland is not party of the Dublin Convention or the Schengen Agreement does not hinder it from adopting specific provisions on migration. The brief description of the migration regime in these countries indicates how restrictive the national context where pro-migrant groups operate is. In the Chapter 6, pro-migrant group researched make reference to those national events that determined their lobbying agenda, and even their emergence.

3.2 Historical considerations

To anyone interested in finding out on what level (national or European) and issues most of the pro-migrant groups' lobbying is likely to be focused, the study of migration policies provides key clues. Migration is an area where the principle of national sovereignty has not yet ceded fully to the principle of supranational authority embodied in the EU institutions.

From this point of view, the EU project is still "hybrid" (Geddes 2000:147), encompassing both dimensions, national and supranational. In some respects, Europe is still a territory where national interests prevail and often legitimate their restrictive actions by designating immigrant as "others". But the EU is also a "boundary-removing project" (Geddes 2003:147) that upholds the free movement of people across Europe. Given this feature, we are inclined to believe that although pro-migrant groups might develop lobbying campaigns both nationally and at the European level, the national arena is still the most significant locus for them (hypothesis I). The current section examines the tensions between national sovereignty and supranational authority of the EU as well as the way they influence the history of the European migration. National sovereignty, expressed in relation to international migration "means that states control their borders and can decide whether or not to permit entry and exit; and even after admitting migrants the state can reverse its decision through expulsion and that states choose which migrants will or will not receive nationality" (Hendrickson 2000:33). In contrast, the supranational principle comes to restrict the area of control under the state' s authority claiming that "states work with one another in a manner that does not allow them to retain complete control over developments" (Nugent 2003:475). To investigate the interplay between these two principles we are going to approach the key legislative initiatives related to the European migration.

Before the Treaty of Rome came into effect (1958), migration and asylum policies were determined by the principles of national sovereignty and of priority for nationals to enter the domestic labor market. The Treaty of Rome stipulated that "Freedom of movement for workers shall be secured within the Community" (Article 48, Treaty of Rome, see European Documents). At that time, freedom of movement was linked to economic objectives. European governments were committed to create a common economic market that couldn't work properly in the absence of the free movement of workers, accompanying the free circulation of goods, services and

capital. In this way, the Treaty laid the ground for the idea of intra-EU migration, determined at this phase by economic reasons. The Treaty's regulations on migration applied only to workers, overlooking the situation of their family members. As Callovi has pointed out (1993:355), in those times, provisions on the family members of workers were articulated only in the secondary legislation (Regulation No. 1612 of 1968 and Directive 68/ 360, see European documents). For instance, the Article 10 of the Regulation No. 1612 of 1968 states: "The following shall, irrespective of their nationality, have the right to install themselves with a worker who is a national of one Member State and who is employed in the territory of another Member State: his spouse and their descendants who are under the age of 21 and dependent relatives in the ascending line of the worker and his spouse" (see European documents).

The concept of intra-EU migration was rearticulated and broadened in 1985 when "The Schengen Agreement brought France, Germany and the Benelux countries together in a far-reaching attempt to abolish border controls with compensating internal security measures including immigration and asylum. By 1997, 13 EU member states excluding U.K. and Ireland were Schengen members" (Geddes 2000:131). The removal of internal frontiers between participating countries prompts the intra-EU migration. However, "The Schengen Convention does not grant anyone freedom of movement between countries. All it does is to remove the controls at the borders. Freedom of personal movement is guaranteed by the rules of the Single European Market which enable EU member state citizens to travel wherever they want within the Union" (Rasmussen 1997:164). The adoption of common rules on visas and checks at external borders stipulated by the Schengen Agreement emphasizes the distinction between insiders and outsiders, respectively between intra- and extra-EU migration. To assure the surveillance of the external borders, cooperation mechanisms between police, customs and judiciary forces from Schengen area were put in place. This fact "indicates a deeper integrative intent among a core group of member states. In this sense, Schengen was a testing ground – a laboratory as Monar

(2001), puts it – for future developments within the formal Treaty structure" (Geddes 2003:132). Developed initially outside the European Treaty framework, the Schengen Agreement would become later part of the EU's aquis, being incorporated into the Amsterdam Treaty in 1999: "The chief purpose of this agreement was to gain experience in dismantling border controls which the then EEC countries could apply to the broader process of creating the Single European Market to be established by 1992" (Rasmussen 1997:162). Or, in Geddes' view, the Schengen Agreement illustrates the "escape to Europe hypothesis" whereby "EU migration policy can be understood as an attempt to resolve problems of international regulatory failure in new external venues at European level. Externalization allows member states to pursue their domestic migration policy objectives by other means" (Stetter 2003:127).

The patterns of cooperation between states settled by the Schengen Agreement were further developed by the Single European Act (SEA). The SEA came into effect in 1987 and the main objective pursued by it was to complete a European internal market, as set out originally in the Treaty of Rome. The Article 8a of the SEA states explicitly the meaning attributed to the internal market: "the internal market comprises an arena without internal frontiers in which the free movement of goods, persons, services and capital is ensured in accordance with the provisions of this Treaty" (Quoted in Callovi 1993:358). The free movement of persons, as envisaged in the SEA, allows people to travel freely across the Community once they crossed the frontiers of a member state. However, the free movement of persons is the sole area out of the four principles where the Council of Ministers makes decisions by unanimity. The deadline imposed for completing the internal market (31 December 1992) and the application of these four principles (the other three principals being free movement of good, services and capital) could have been achieved only if the member states cooperated: "in order to promote the free movements of persons, the member states shall cooperate, without prejudice with the powers of the Community, in particular as regards the entry, movement and residence of nationals of third

countries" (Callovi 1993:358). This observation bears a two-fold significance. First, it acknowledges the need for cooperation on immigration and asylum policies at the Community level. Second, it demonstrates that cooperation on these matters is still intergovernmental rather than supranational. For this reason, a particular emphasis is placed on controlled admission and security issues whereas the protection of migrants' rights gets less attention. In terms of binding consequences, the SEA required member states to adjust their domestic legislation on migration so that the free movement of persons could be effected by December 1992.

In 1990, at the Dublin Convention, another major issue came to the fore, asylum policy. With the increased flow of asylum seekers "in the aftermath of the end of the Cold War in 1989-90" (Geddes 2003:17), the European Council made an important attempt to harmonize European asylum policy by creating a mechanism among states whereby an asylum claim for the EU as a whole would be adjudicated by only one of them. The main motivations behind this initiative aimed both to increase the supranational authority and to ease the bureaucratic pressures in dealing with asylum seekers' requests. The provisions of the Convention introduced some procedural guarantee for refugees across the EU, e.g. the right to have their own request examined. Nevertheless, the Dublin Convention was not as effective as its initiators hoped. Although the EU tried to organize the distribution of refugees, the standards for their recognition varied between the member states. The lack of common procedure to deal with this issue demonstrates that power remains national rather than European.

In 1992, the Maastricht Treaty aimed to bring the intergovernmental cooperation on migration and asylum into the framework of the European Community by recognizing these issues as "matters of common interest" between member states: "The member states were to regard the following areas as matters of common interest: asylum policy; rules governing and controls on, the crossing by persons of external borders of the member states; immigration policy and residence rights of third country nationals; combating drug addiction, combating international

fraud; judicial cooperation in civil matters; customs cooperation; and police cooperation to combat terrorism, drug trafficking and other serious crimes" (Title VI, article K,1, Nugent 2003:68). These nine points were kept intergovernmental, being placed under the third pillar (Justice and Home Affairs) of the European Union. The other two pillars, constitutive to the EU in the Maastricht Treaty's view, are the 'Community' pillar placed under the supranational control and Common Foreign and Security Policy (CFSP) found under the intergovernmental authority. As Geddes pointed out, "The main advantage of the pillared arrangement for those states that preferred intergovernmentalism was that it minimized the involvement of supranational institutions" (2003:135). In conclusion, the positioning of the immigration and asylum issues under intergovernmental influence has to be regarded as clear evidence that member states maintained their monopoly over this area. The decision-making process under intergovernmentalism is based on unanimity. "The Maastricht Treaty is the first attempt to implement what could justifiably be called a collective and coordinated EU refugee and immigration policy" (Rasmussen 1997:160), given its broad perspective on migration and asylum issues including common asylum and immigration policies, joint policies for the third country nationals - TCN (conditions of entry and movement of the TCN on the territory of member states, conditions of residence) and common control of the outer borders of the EU.

"The signature of the Amsterdam Treaty [in 1999] represented a turning point in relation with migration and asylum issues, setting out the legal basis for the creation of an European migration policy" (Palomar 2004:4). There are at least three points that have to be stressed. First, The Amsterdam Treaty transferred the matters of immigration and asylum from the third intergovernmental pillar (Justice and Home Affairs) to the Community pillar, subordinated to the supranational principle. These decisions would not continue to be made by nation states beyond 2004. This term marks the upper limit of a five-year timetable for moving migration and asylum from the intergovernmental to the supranational area. Before then, it was explicit that the Council

of Ministers adopts relevant measures on the following topics: illegal immigration and illegal residence, rights and conditions under which nationals of third countries may reside in other member states, standards on procedures for issuing long term visas and residence permits and conditions of entry and residence within the EU (Palomar 2004:4). Until these measures come into effect: "Immigration and asylum were "communitarised" in the sense that they moved to the Community pillar but were not "supranationalised" in the sense of being made subject to day-to-day processes of integration" (Geddes 2003:137). The second element that demonstrates the Amsterdam Treaty's attempt to build up a European migration policy is the incorporation of the Schengen Agreement of 1985 together with its Implementing Accord of 1990 into the Treaty. It means that the freedom of movement was not any more an intergovernmental matter shared by the Schengen signatories. It became a supranational concern. As Palomar pointed out (2004:8), the inclusion of the Schengen Agreement into the Maastricht Treaty had been made without revising its restrictive stipulations on the control of the external borders. Article 13 provides more evidence of the Amsterdam Treaty's intention to develop comprehensive policies on migration. This Article extends the anti-discrimination provisions to cover ethnicity, race, disability, gender, sexual orientation and religion: "the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age of sexual orientation" (Amsterdam Treaty, see European documents).

In 1999, in Tampere, another European initiative demonstrated concern about pursuing common approaches on migration policy. Then, the heads of government from the EU countries made known their concern "to establish a Common European Asylum System, based on the full and inclusive application of the 1951 Geneva Convention (the "Refugee Convention") ensuring that no one is sent back to a country in which his/her life or freedom would be threatened" (Tampere decisions, see European documents). To attain this objective, participants in Tampere

meeting agreed on settling short and long-term goals. The immediate measures to be taken refer to the adoption of common standards for fair and efficient asylum procedures, common minimum conditions for the reception of asylum seekers, a clear determination of the states responsible for the examination of an asylum application. On the long run, "Community rules should lead to a common asylum procedure and a uniform status valid throughout the Union for those who are granted asylum." (Tampere Decisions 1999).

In 2000, two Directives were issued on the principle of equal treatment regardless of race or ethnic origin and the establishment of a general framework for equal treatment in employment. The relevance of these Directives is two-fold. First, they address the issue of direct and indirect forms of discrimination and they go beyond the domestic stipulations formulated by member states. Second, the Directives apply to areas where the racial discrimination is high: employment, education, social services and housing conditions.

After 2000, the EU initiatives on migration pursued three main directions: broadening the rights provided for third country nationals, urging on the adoption of integration policies for migrants and undertaking long-term measures on migration. As to the first aspect, in 2003, a European Directive on the Right of Family Reunion was issued. Although that Directive did not settle the matter of citizenship for third-country nationals it provided the right for residence for family members of the third-country nationals in view of family reunification. After five years of residence, these persons are entitled to get their own resident permit. Another example we point to is the directive on transparent rules for non-EU nationals working in the EU. The European Commission drafted this document in 2001 and it is still subject to the Council's approval (EU Migration Policies, see European documents).

As to the long-term measures, the proposed Constitutional Treaty (2003) which remains to be ratified by all member states and has recently been stalled by 'No' votes in France and the Netherlands contains more new stipulations on migration. They relate to the decision-making

mechanism. Under the new Treaty, the European Commission has the sole right of initiative where common policies on border checks, immigration and asylum are concerned. In this way, the member states' initiative on these matters has been removed. Moreover, the Treaty modifies the basis for decision-making on asylum, immigration and border checks, shifting it from unanimity to qualifying majority. In doing so, it permits faster decision-making. In addition, it incorporates three major elements of existing EU policy on migration. First, the Constitutional Treaty reiterates the objective of creating a common policy on asylum and immigration, formulated at Tampere. Second, on matters of border control, the Treaty adopts the position articulated by Schengen Agreement on a passport free travel area among member states. Third, the present Treaty also recognizes the right to asylum provided by the Geneva Convention recommending to member states to offer an appropriate status to third-country nationals that require international protection (EU Constitution, see European documents).

In 2004, the European Council adopted a new program for Justice and Home Affairs, setting out legislative and operational objectives on migration for the next five years (until 2009) in order to strengthen freedom, security and justice in the European Union. More concretely, ten priorities form the basis for cooperation between member states. Four out of these ten priorities address different facets of migration. The Hague Program acknowledges the economic benefits of migration and recommends that member states shape better integration policies for migrants. Other stipulations made on migration refer to the establishment of a common asylum area based on common asylum procedures, internal and external borders of the EU (e.g. lifting the internal borders of the ten Member States that joined the Union in 2004) and a more efficient migration management through strengthening the fight against illegal migration and trafficking in human beings (chiefly women and children).

In January 2005, the European Commission issued the Green Paper on Managed Migration at the EU level. The Green Paper attempts to open up consultation between EU

institutions, member states and civil society on matters regarding the direct recognition of migrants' benefits to the economic and social development of the EU as well as the most suitable forms of Community rules for admitting economic migrants, including third-country nationals. Some key questions addressed by the Green Paper are whether there should be a "community preference rule" for admitting migrant workers (a third country national will be accepted if there is no resident who could fill the position), whether economic and social rights should be granted to migrant workers according to their length of stay, on what basis should they be issued a green card (similar to that used in the American system), whether immediately on fulfillment of certain criteria or only to the renewal of an existing long-term permission (The European Commission' s Green Paper on Managing Economic Migration 2005). In July 2005, the European Commission is going to organize a public hearing with all stakeholders involved (The European Commission' s Green Paper on Managing Economic Migration 2005). The final outcome is expected to be a policy action plan to be adopted by the end of 2005. This action plan also aims at providing an EU legislative framework on economic migration rooted in the participants' suggestions. The main reason for the European Commission's concern for economic migrants derives from the demographic trends of the EU labor market. The EU's working age population is predicted to decline by 20 million between 2010 and 2030 (The European Commission' s Green Paper on Managing Economic Migration 2005).

To conclude, even if we identify a continuing trend of transferring the authority to deal with asylum and migration issues from individual member states to EU institutions, several major issues still lag behind (e.g. directive on transparent rules for non-EU nationals working in the EU).

In essence, all these European initiatives do not indicate "that there is a common EU migration policy. There is a highly developed free movement framework that is supranationalised and that imposes real constraints on the member states. Cooperation on migration and asylum are

less developed" (Geddes 2003:198). This observation shows that the Europeanization of migration and asylum policies is still under way. Until the completion of this process, the national level remains a critical lobbying arena for pro-migrant groups. Moreover, the uncertain result of ratification of the EU Constitution, as it has been proved by both French and Dutch rejections might delay the Europeanization of migration and asylum. In this way, pro-migrant groups would be more likely to develop their lobbying patterns rather in the national space than in the European one.

3.3 UN Conventions

The last part of our historical chapter is centered on two UN legal initiatives. One of them is the Geneva Convention on Refugees (1951), the first international agreement on matters of refugees, ratified so far by 141 countries. The Convention preceded the European Treaties and their regulations on migration. A recent UN document, still subject to ratification for the majority of the European countries is the Convention on Migrant Workers and Members of their Families (2003). The relevance of this Convention for Europe comes primarily from bringing together several issues on migration left unsettled by the European Treaties: rights for undocumented migrant workers, measures taken against the arbitrary expulsion of legal migrant workers.
The 1951 Convention also known as Geneva Convention on refugees "was the first truly international agreement covering the most fundamental aspects of a refugee's life" (Geneva Convention, see European documents). Aiming initially to protect the approximately 50 million European refugees after the Second World War, nowadays, the Convention still responds to the needs of "more than 21 million people [refugees]" (Geneva Convention, see European documents). The Geneva Convention stipulated their rights to legal protection and assistance from signatory countries including not to return someone to a country where s/ he would be in danger, to treat refugees with equal rights as other members in society. A refugee was defined as

any person who "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his (sic) nationality and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country..." (Geneva Convention 1951). This definition still applies today, being subject of different interpretations on the part of the signatory states.

Adopted in December 1990 and entered into force on 1st July 2003, the UN Convention on Migrant Workers is the first universal codification of the rights of Migrant Workers and their family members. The document prescribes the minimum standards that states have to apply to migrant workers and members of their families under their jurisdiction, including when they are working and living in irregular situations. In its preamble, the Convention recognizes the rights of undocumented migrant workers (e.g. right to receive medical care). In essence, the Convention "entitles migrant workers to the same pay, hours, safety considerations, and other workplace conditions that nationals enjoy" (Asylum seekers in U.K. and the Netherlands, see European documents). In addition, it provides against arbitrary expulsion of legal migrant workers. Several reasons account for the slow ratification of this Convention in July 2003. Even now, no Western migrant receiving country has ratified it, most signatories being countries of origin of migrants, e.g. Mexico, Philippines (United Nation Convention on Human Rights, see Websites). One of the barriers had its origins in the provision of rights for undocumented workers: "Some countries have viewed these rights as a way to encourage or even reward undocumented migrants' violations of national immigration laws" (Migration Information Source, see reports on migration). Another obstacle came from the states' reluctance to grant equal rights regarding employment related protections to nationals and non-nationals. Moreover, to put into effect such kinds of regulations implies certain costs for signatory countries.

In conclusion, the migration policy still remains a territory shaped by national governments both in Europe and across the world. Given this feature, it is likely that most of the

lobbying campaigns on migration are directed towards the national authorities. However, the growing Europeanisation of the migration policy together with the diversity of migrants' problems identified by the EU documents urges pro-migrant groups to extend their efforts to the European arena. The UN Conventions analyzed above provide further motivations for the mobilization of pro-migrant groups. As their stipulations (mainly in the case of the UN Convention on Migrant Workers) are achievable in the long run, they could work as lobbying incentives both for the newcomers and the current pro-migrant groups.

Chapter Four - Business and Public Interest Groups' Lobbying Patterns in the EU

4.1 General considerations

On the basis of the extensive secondary literature, this chapter examines the lobbying patterns of business and public interest groups laying the groundwork for a comparison with pro-migrant groups' lobbying patterns described in the later chapters. Our comparative approach to business, public interest and pro-migrant groups is grounded in two theoretical approaches. The first is policy network perspective in which interest groups are seen "as a cluster of complex of organizations connected to each other by resource dependencies and distinguished from other clusters by breaks in the structure of resource dependencies" (Benson 1997:4). Pro-migrant organizations also form such a cluster. The second approach is multi-level governance model in which "different policy arenas [situated both locally and internationally] are loosely coupled, meaning that decisions in one arena alter some, but not all of the decision-making parameters in other arenas" (Knill 2001:243). Dependency between arenas implies that any interest group (e.g. pro-migrant organizations) might be subject to decisions made in other arenas (e.g. business).

The major reason for selecting business and public interest groups is the prominence of these lobbying actors. Business and public interest groups are seen as "the most significant type of interests in both quantity and quality of EU public affairs actors" (Greenwood 2003:10). Business interest associations account for 2/3 of all EU groups (Greenwood 2003:75). "Public interest groups are the second largest category of EU interest groups, accounting for around one-fifth of their number" (Greenwood 2003:179). On the third place in this classification come professional and labor interests. Qualitatively, the versatility of business interest groups has been noted. They play three sorts of roles: gathering information, monitoring the EU process and influencing the European agenda (Rowe 2004:7). Helen Wallace views business interest groups' participation in the decision-making process as especially pervasive: "Economic actors are

participants in all phases of the policy process, often explicitly, sometimes implicitly, often relying on officials of the same nationality, but sometimes consorting with officials of other nationalities" (1997:240). Business interest organizations are also multi-level players, lobbying at the European as well as the domestic level. Bennett in his survey conducted on 219 U.K. organizations points out that: "the second most important route for EU interest representation, after contact with national ministers or officials was through EU associations" (2003:113).

Public interest groups, for their part, cover a broad typology of sub-groups (environmental, social interests and consumer interests, Greenwood) that provide different lobbying models for pro-migrant organizations. Within these sub-categories, there are various degrees and varieties of participation in the lobbying process. For example: "Unlike other public interest groups whose roles are primarily restricted to ideas dissemination, agenda setting and the politicization of issues, environmental groups have the ability to engage policy making throughout its different stages, through formulation, implementation and monitoring" (Greenwood 2003:196). In addition, these kinds of interest groups have managed to develop a privileged relationship with the European institutions that provide them an easier access to these lobbying arenas than others: "Their access is encouraged, both by the Commission and by some governments, or sections of governments" (Young 1998:242). Moreover, public interest groups are characterized by a high degree of activism resulting higher visibility than other interest groups: "Such groups and the views that they represent are very much present in the policy process. They are indeed actively engaged in efforts to influence policy" (Young 1998:242). Both business and public interest groups may be seen as successful lobbying actors that work as likely models for pro-migrant organizations.

4.2 Analytical framework

Frans Van Waarden' s model of the constitutive elements of policy network views all kinds of policy networks as structured around some key components: types of actors, functions, power relations, structure and strategies. Adjusting this model to the key elements of the lobbying process – creating lobbying coalitions, building up the lobbying agenda and promoting the interest groups' aims – enables an analysis of lobbying interactions in both kinds of arenas, national and European, with the help of multi-level governance model.

4.3 Business interest associations

The large presence of business groups amongst Euro-groups might be regarded as an organizational response to the EU's interest in economic policies. As "nearly 80% of economic measures passing through member states' legislation have a 'made in Brussels stamp' on them" (UNICE Report, 2001, in Greenwood 2003:71), there is no surprise that business interest associations are the most numerous Euro-group. The variety of forms taken by business interest associations – sectoral (e.g. Eurelectric for companies in the EU producing and distributing electricity) cross-sectoral (e.g. the Union of Industrial and Employers' Confederations of Europe – UNICE) and specific issue-related (ENERG-G8, a coalition of eight energy manufacturing company) – is an indicator of their adjustment to the political conditions of the EU. At the same time, this multiplicity of organizational patterns also evinces business interest associations' ability to innovate new forms of participation in the lobby process. A closer look at how business interest groups manage their lobbying interactions at the European level reveals several characteristics shared by these groups (narrow specialization, high membership density, low collective action problems and low level of resources and autonomy). Narrow specialization of business groups has been noticed in the European arena since 1980. In the early 1980s,

companies began to organize themselves formally at the European level, creating politically powerful big business organizations (Cowles 1998:118). One of the best-known organizations which emerged in the early 1980s is the European Round Table of Industrialists (ERT). Initially, a group of 17 European industrialists run by Pehr Gyllenhammar of Volvo, today, the ERT is a forum of 45 leaders of large international companies from Europe. Its main mission has remained constant through 20 years, to promote the competitiveness and growth of the European industry (European Round Table of Industrialists, Homepage). Given the narrow focus of these big business players, it is supposed that their lobbying agenda is articulated around highly specific issues. Business Euro-groups' involvement in European economic policy turns them into actors engaged not only in the everyday EU policy-making but also in the high politics of the EU integration process. There is also emerging evidence that European companies organized themselves at the European level to influence the EU's international economic agenda (Cowles 1998:122). A case in point is the Transatlantic Business Dialogue (TABD), a partnership created in 1995 for "establishing a barrier free transatlantic market which will serve as a catalyst for global trade liberalization and prosperity" (Transatlantic Business Dialogue, Homepage). At present, the TABD's work consists in providing recommendations to the European Commission and the U.S. government to improve the efficiency of the transatlantic partnership. The TABD is co-chaired by a U.S. and an EU CEO. Its executive board is composed of 30 leaders from European and American companies of diverse geographical locations, size and sectors. Business groups are organized at the European level as federations (associations of national associations) and direct membership organizations. As 66% of business groups are federations and 30% are direct membership organizations comprising firms it means that coalitions are the most common lobbying techniques for these groups (Greenwood and Aspinwall 1998:5). The dominant federative structure of business groups facilitates their lobbying interactions because "Amongst EU federations, collective action problems [membership problems] are negligible because

national associations sought a shared structure to help them undertake their political activity at the EU level" (Greenwood 2003:78). Most EU business associations are dependent on membership subscriptions. This characteristic has its downside: "The greater the dependence of an association on its members, the lower is its autonomy from them" (Greenwood 2003:82). Given this aspect, business organizations might be hindered from planning long-term lobbying interventions. Business groups lobby at both the national and European levels (Aspinwall and Greenwood 1998:8). As multilevel players, business groups "are clearly more active and present throughout the entire policy cycle at both the EU and the national levels" (Eising 2004:224). Some large firms set up their own offices in Brussels, enabling them to monitor EU economic policies on an ongoing basis as well as to influence the politicians' decisions directly. As for direct/ indirect kinds of lobbying strategies, Bennett's conclusions (about the U.K.) are that the least used technique is the employment of a third party (11%). Direct lobbying comes second with 17% while alliances with European associations is the most common (24%). European business associations can build up quite large coalitions. A case in point is Euro-chambers that have "largest European business representation", acting as "the voice of European business" (2003:104). The Euro-chambers' members "represent 44 national associations of European Chambers of Commerce and Industry, a European network of 2000 regional and local Chambers with over 18 million member enterprises in Europe" (Euro-chambers, Homepage). We may also consider the case of the Union of Industrial and Employers' Confederations of Europe (UNICE). This organization includes 39 full members, primarily national associations from 33 countries from the EU and Central and Eastern Europe (Union of Industrial and Employers' Confederations of Europe, Homepage).

Business groups' preferred lobbying arenas are the European Commission, the European Parliament and the Council of Ministers. From the interest groups' point of view, the European Commission remains the most lobbied institution because the final document issued at the

European level will contain 80% of the initial proposal launched by the Commission (Hull 2003:49). The lobbying targets selected by business interest groups do not include the European Council that is responsible only for the broad economic policies of the member states.

4.4 Public interest organizations

In Greenwood's view, there are three main types of public interest groups: environmental, consumer and social. Defending the public interest, these kinds of organizations "are accountable to and representative of the citizen constituency they seek to reach" (Greenwood 2003:177). This trait turns them into key partners of the European institutions in their attempts to overcome the democratic deficit and to uphold the European integration process. The European Commission acknowledged this in a document that states the grounds for their cooperation: commitment to the same goal, fostering participatory democracy as well as contributing to European integration, participation in the policy-making process and NGOs' representative value emphasized by their capacity to defend citizens' interests to the European institutions (Greenwood 2003:177). Public interest groups benefit from the "sympathetic attitude" (Webster 1998:194) of the European Commission and of the European Parliament. Both Marks and Mc Adams mention "a unique political opportunity structure of the EU" (2003:179) that encourages the transformation of the traditional grassroots social movements into interest groups and lobbying- oriented organizations. These opportunities derive from the enhanced competencies acquired by the EU after the launch of the single market, notably in the areas of environment, social cohesion and development (Aspinwall and Greenwood 1998:3). For instance, there are special organizational units in the European Commission, called Directorates General, responsible for the policies of environment and consumer protection. European institutions also provide financial support to the public interest organizations: "Funding is usually available to the environmental NGOs via the structural funds and other EU programs" (Webster 1998:193). Or, as

Greenwood stressed, "Almost all categories – consumer, environmental, civil and social draw upon EU funding" (2003:182). Both these financial and institutional incentives offered to the public interest groups facilitate their lobbying strategies managed in the European arena.

4.4.1 Environmental interest groups

To paraphrase Greenwood, the EU does not treat environmental policy as a luxury but rather as a central element of its policy. Environmental policy was already mainstreamed in the Maastricht Treaty of the European Union (1992), prior to other sectors of public policy (e.g. – the consumer policy was mainstreamed in the Treaty of Amsterdam, in 1997). The Single European Act (1985) laid the ground for it by incorporating environment policy under the European Community's authority. Moreover, the environmental agenda is perceived as an influential one by other public interest groups, as Greenwood stressed. For instance, consumer organizations have incorporated green arguments in their discourse (Association of European Consumers has formulated its goal as "a socially and environmentally aware consumption", in Greenwood 2003:200). To uphold their agenda at the European level, environmental NGOs are involved primarily in two sorts of collective actions: stable patterns of participation and issue based alliances between the main environmental networks. The Group of Seven consists of seven prominent environmental NGOs that cooperate on an informal basis: European Environmental Bureau, Friends of the Earth Europe, Greenpeace International, the World Wide Fund for Nature, Climate Network Europe, the European Federation for Transport and the Environment and Bird Life International (Webster 1998:176). This is a flexible arrangement that allows to its members to opt out of joint campaigns when they do not want to act on a particular topic. Their campaign themes are articulated around "horizontal issues" (problems of common interest): e.g. biotechnology, climate change, air pollution (Webster 1998:185). The lasting character of this alliance is determined by shared beliefs. As Ruth Webster noticed quoting Sabatier (1998:188),

environmental principles are part of deep core beliefs, being very resistant to change. Since this alliance doesn't turn on particular events, it is highly stable in comparison with those of other public interest groups. Another relevant trait of environmental alliances that reinforces their tendency to collaborate is overlapping memberships. "Evidence from the business sector suggests that organizations which share members may be inclined to enter into collaborative arrangements" (Webster 1998:188). The European Environmental Bureau, a member of the Group of Seven, has major environmental groups as members, including here: World Wide Fund for Nature (WWF), BirdLife International, FoE International. WWF is also registered as separate member of the Group of Seven. WWF's dual membership indicates the presence of similar agendas among these three organizations. While the stable patterns of cooperation are developed mainly among environmental NGOs, issue-based alliances also occur across established networks and alliances. Ruth Webster cites the European campaign for clean air (1998:190) in which only one organization out of six was an environmental group – the European Environmental Bureau. The rest were organizations from other areas, such as consumers, health and citizens. Environmental NGOs' ability to create alliances is also buttressed by the partnership oriented policy of European institutions: "Political actors within the European Community often advocate a closer collaboration between EC institutions and interest groups. The principle of partnership in regional and environmental policies has been introduced to increase the efficiency of EC programs" (Kohler-Koch 2003:54). Environmental NGOs lobby throughout the decision-making cycle. Moreover, they play other roles. For instance, the European environmental organization called Climate Network Europe distinguishes itself by providing an information service on climate-related topics. World Wide Fund for Nature, another environmental association active at the European level, is particularly interested in collecting and disseminating information on environmental matters. These additional functions that complete the lobbying-related roles come to create bridges amongst the environmental organizations and to provide opportunities for future

alliances. Institutional targets of lobbying by environmental organizations are increasingly European institutions: "As Tony Long, Director of the WWF European Policy points out, the time came for the other environmental NGOs to establish a Brussels presence in order to deal effectively with environmental activities at the EU level" (Webster 1998:182). A principal reason for setting up environmental NGOs in Brussels is provided by the Single European Act (1985). This document incorporates environment, together with research, technology, economic and social cohesion as new policy areas of the EU. In a later document, the European Commission' s four-year action program (2002-2006) for promoting NGOs, we notice a direct recognition of the role played by environmental organizations. In accordance, the highest level of resources has been allocated for the environmental NGOs (Euro 32 millions, in Greenwood 2003:191). Moreover, the Official Journal of the European Communities articulates the European Commission's expectations from environmental NGOs, as follows: "NGOs are essential to coordinate and channel to the Commission information and views on the newly emerged perspectives, such as on nature protection and trans-boundary environmental problems" (C 1001, E/ 27, 7 May 2002, in Greenwood 2003:191). The European Parliament is another lobbying arena for environmental organizations. As Greenwood stressed, "Environmental NGOs have a natural ally in the shape of the European Parliament whose members are quick to take up concerns popular with their electorate" (2003:196).

4.4.2 Consumer groups

"Whilst environmental organizations working at the EU level are primarily direct membership social movements, able to act quickly, EU consumer organizations are a confederated structure" (Greenwood 2003:201). This type of membership makes more slow and formal the interactions between its members. But at the same time, this organizational pattern manages to incorporate the various traditions of consumer groups: independent consumer unions,

family and women' s organizations, cooperatives, trade unions and regional organizations (Young 1998:156). Each of these traditions is represented at the European level, generating a certain impact on the consumers groups' lobbying. First, these traditions have lent European organizations different kinds of agendas. For instance, the cooperatives are concerned with retailers. The unions are interested in the welfare of workers as well as consumers. These different priorities expressed through distinct agendas impede the possibility of creating long-term alliances within the consumer groups sector. In contrast, we may identify issue-based alliances constituted around agriculture, foodstuffs and technical standardization (Young 1998:166). Consumers' coalitions are also developed between different networks. In this case, the allies selected by consumer organizations are from particular firms and industries (Young 1998:170). This type of partnership is articulated along the relationship between consumer and producer and usually it is a short-term coalition. Another dimension of the consumers' alliances is that their cooperation has financial roots: "An incentive for consumer organizations to cooperate at the European and international levels is that, by and large, they do not have the resources to pursue unilateral strategies" (Young 1998:150). In short, these financial constraints exert a positive influence on the groups' solidarity increasing the probability of alliances. The original ground for constituting the first European consumers groups was to "monitor and seek to influence European legislation on behalf of their members" (Young 1998:157). Today, this initial goal has been enlarged referring to include "pooling information, lowering the cost of access to expert advice as well as providing a more solid basis for dialogue with business and for political action" (Greenwood 2003:202). In terms of their relationship with European institutions, consumer organizations are similar to other public interest associations, demonstrating a high preference for the European Commission and the European Parliament: "The European Commission has promoted, funded and consulted European consumer organizations. The European Parliament has provided a willing ear for consumer concerns and has acted as a loyal

patron" (Young 1998:151). Moreover, most European consumer organizations are represented in the Economic and Social Committee, as Greenwood observed. Thus, though consumer groups benefit from a supportive attitude from European institutions, as long as their coalitions are primarily issue-based, regular lobbying patterns and strategies are not evident.

4.4.3 Social Interest Groups

"Far from being under-represented in Brussels, it perhaps may legitimately be claimed that social interest are somewhat over-represented, particularly in some sectors where there are a number of organizations with similar aims" (Greenwood 2003:228). One of the most prominent organizations defending citizens' rights is the European Citizen Action Service (ECAS) created in 1990. ECAS is an international NGO, independent of the EU institutions, political parties and commercial interests. Its mission is "to enable NGOs and individuals to make their voice heard with the EU" (European Citizen Action Service, Homepage). In doing so, ECAS makes use primarily of training NGOs representatives from member states and applicant countries of the EU on how to get access to the European institutions and providing assistance with the establishment of European associations. To promote individuals' rights, ECAS aims to develop a European forum of citizens' advice services and to uphold not only the idea of 'dual citizenship' (European and national) but also a European citizenship based on residence. Another example is the European Platform of NGOs, established in 1995, following the European Commission' s suggestion to run an ongoing dialogue with NGOs on matters of social policy. The Platform is composed of "forty European non-governmental organizations, federations and networks that are working to build an inclusive society and promote the social dimension of the European Union" (European Platform of NGOs, Homepage). Its members stand for associations and voluntary groups at local, regional, national and European level, including "organizations of women, older people, people with disabilities, people who are unemployed, people affected by poverty, gays

and lesbians, young people, children and families" (European Platform of NGOs, Homepage). Grants coming from the European Commission cover the Platform's running costs. The large presence of the social groups in Brussels points to the good relationship they have with the European institutions. The European Commission directly supports the social interest groups in different phases of their development, ranging from formation to maintenance. Some analysts are inclined to consider this relationship as one of "extreme dependency" (Greenwood 2003:210) since social groups earn 90% of their funding from the Commission. Due to this figure, social interest groups show the highest financial dependence on the European institutions, in comparison with all other interest groups. This aspect raises serious doubts about their independence in creating lobbying alliances. Regarding the lobbying functions performed by social interest groups, the roles they play do not position them as high-profile actors. Usually, these roles fall into the following categories: intermediate agent between citizens and the European institutions and supporting agent in the drive of the European integration (Greenwood 2003:210). They are still perceived as auxiliary actors whose function is to respond to the European institutions' needs. Social interest groups' proximity to the European institutions is also noticeable in the content of their agenda. In many cases, these groups' agenda seems to be complementary to the European one: "Many NGOs operate in fields that are on the fringes of EU competences and EU institutions make use of it" (Greenwood 2003:216). For instance, the Directorate-General for Information (DGX) of the European Commission looks to the voluntary sector to disseminate information on European issues to the citizens. The Humanitarian Aid Department of the European Commission (ECHO) works closer with humanitarian aid NGOs. This close cooperation between NGOs and European institutions is subject to different readings. On the one hand, it raises questions about to what extent the European institutions have coopted these NGOS, totally or partially. On the other hand, it enhances the leverage of social NGOs on the European system, turning them into vehicles for bringing more social Europe into the current

neo-liberal model. The Maastricht Treaty (1992) opened up a few opportunities for them. New policy areas where several NGOs operate were added to the Community's authority: development and public health (Nugent 2003:102). Moreover, the Treaty stated the EU s priorities in terms of social policy. "By establishing a common market and economic and monetary union, and by implementing common policies, the European Community shall promote a high level of employment and social protection as well as economic and social cohesion among member states" (Mehta and Cinalli 2004:5).

4.5 Conclusions

With all differences between the most prominent interest groups (business and environmental), a set of common characteristics is distinguishable. Both sorts of groups are multi-level players whose lobbying interventions cover all phases of the decision-making process. They are highly adapted to the EU changing system. Business interest groups have developed a variety of organizational structures (sectoral, cross-sectoral, specific issue) to promote their concerns. As pro-migrant groups also take a variety of organizational forms (church-based organizations, national and international NGOs), they might learn from business associations how to adjust them better to the national and European lobbying circumstances. Environmental groups make use of stable and issue based alliances grounded on the deep core beliefs shared by these organizations. As pro-migrant groups' principles are also part of the deep core beliefs, they might follow the same pattern of building up alliances.

There are other similarities between business and environmental interest groups. They are expressed in terms of organizational features: narrow specialization and high membership density. This latter aspect is determined chiefly by these groups' inclination to create large alliances and to use them as main lobbying technique at the European level. Another similarity results from the lobbying targets to which they orient their campaigns. Both groups show a high

preference for the European Commission and the European Parliament. Pro-migrant groups, in their turn could learn from these interest groups how to use multiple access points to have more influence in the European arena.

If we consider the lobbying performance of these groups in the European arena, we might point out their increasing influential role. Whereas at the very beginning of their lobbying activities, their campaigns were concentrated on the policy followed by the EU in their field, at present both organizations also aim to shape the European integration process.

Chapter Five - Opportunities for and barriers to pro-migrant groups' lobbying

5.1 General considerations

This chapter examines the lobbying opportunities and barriers encountered by pro-migrant groups and compares their chances and obstacles to those faced by other interest groups. The overall aim is to understand what obstacles and resources influence and shape the lobbying patterns of pro-migrant groups. Multi-level governance and policy networks approaches provide the theoretical grounds of our analysis in a manner analogous to the analysis of the Business and other Euro-groups in the previous chapter. There are two major informational sources on which our analysis is based: literature on interest groups (including here pro-migrant groups) and findings of primary research.

5.2 Opportunities for and barriers to the immigrant interest groups' lobby

This analysis makes a review of those critical opportunities and barriers that condition the lobbying strategies of interest groups from two perspectives. One is centered on those opportunities and barriers common to all interest groups. The other one has a narrow emphasis and it looks at those opportunities and barriers specific to pro-migrant groups.

5.2.1 Common opportunities

Two sorts of opportunities are available to interest groups in general: systemic (generated by the fragmented and multi-level structure of the European political system) and institutional (based on the specific EU institutions with which interest groups interact).

A central feature of the European political system is its multi-level structure, the dispersion of power between various levels of authority. The major advantage of this to interest

groups is that they take part in the decision-making process independent of their position within the lobbying system (local or European): "The multi-level character of the European policy process means that actors seeking to participate in European public affairs have a number of so-called "routes of influence" (Greenwood 2003:32). It also "allows interest groups to contribute much to agendas, the framing of issues, detailed input to drafts, consideration of measures and policy implementation, political support and opposition" (Greenwood 2003:27). In addition to the diversity of opportunities this structure generates, there is the recognition they enjoy within the European system. Interest groups are not seen as secondary actors exerting their influence on an irregular basis. On the contrary, they are perceived as co-participants in the decision-making process, together with the EU' s governing institutions. Another feature of the European political system is its fragmented structure. Interest groups often value the fragmented nature of the European system when they look for access to the decision-making structures: "Typically, fragmented structures afford ease of access but limit the impact of civil society actors whereas centralized structures create difficulties of access, but tend to result in high policy impact" (Risse-Kappen 2003:29). Among the most prominent institutional targets aimed at by interest groups, the European Commission provides the most lobbying opportunities: "The Commission's role in drafting legislation together with its interdependencies with outside interests makes it the foremost venue for interest representation at the European level" (Greenwood 2003:30). Since most of the European Commission's functions lie at the beginning of the decision-making process, interest groups use this opportunity to propose issues to be addressed by the European Commission, frame them, and influence and create certain perceptions of and around them. Moreover, as we have discussed, the European Commission supports these groups financially in an attempt to overcome its democratic deficit. "The Commission spends around Euro 1 billion each year in funding NGOs activities, of which 40% is accounted for by "external relations" activities embracing humanitarian aid, development, human rights and democracy" (Greenwood

2003:179). Overcoming its democratic deficit is not the only reason for the Commission's support: "Commission is changing its role from an "agenda setting initiator" to that of "consensus builder" (Cini 2003:54). Other authors have seen such support in less flattering terms of "a fairly standard model of interest co-option across Europeanized policy sectors" (Mazey and Richardson 2000:639). Given the interest groups' need for support, this relationship between them and the Commission is seen as "mutually reinforcing" (Geddes 2000:12). As such, the process of European integration which strengthens the position of EU institutions such as the Commission has ambiguous implications for interest groups. On the one hand, this partnership is beneficial for interest groups that receive financial resources for running their activities. On the other hand, a more accelerated process of European integration that might lead to a strengthened role of the European Commission on matters found so far in the hands of the Council of Ministers (e.g. migration) can be expected to further limit the independence of NGOs.

Another institutional target for interest groups is the European Parliament due to "its interdependencies with outside interests but principally, its ability to amend and where Treaty provisions dictate, co-decide upon proposed legislation." (Greenwood 2003:32). The European Parliament's powers were increased by the inclusion of a 'co-decision' element in the Maastricht Treaty (1993). This new legislative procedure increases the European Parliament's leverage over the Council by giving this institution "a right to a third reading (phase for legislation) and, failing agreement at that stage, to establish a Council – European Parliament conciliation committee" (Dinan 1999:285).

While in most cases, the decision is made at this Committee, there is always a possibility that the Conciliation Committee cannot come to an agreement and the Parliament employs its veto right. "This has happened only three times in the seven years since the process was established" (Pedler 2002:108). Nevertheless, this situation shows us that if interest groups are going to make full use of the co-decision procedure they should address their lobbying strategies

to the European Parliament as well as the European Council. The number of interest groups that are likely to benefit by this lobbying opportunity is pretty large if we consider the areas where the co-decision procedure is applied: "Most EU legislation apart from agriculture, justice and home affairs, trade, fiscal harmonization and EMU issues now became subject to co-decision" (Nugent 2003:347).

The final institutional target for the interest groups is the Council of Ministers "with its full decision-making powers at the end of the policy making process. At this later point in the decision-making process, however, it becomes more difficult to exert influence because issues have been already shaped" (Greenwood 2003:32). Even so, there is still some room for lobbying, mainly at the national level since the key actors to be influenced at this point are national governments. Given that the migration policy "contains intergovernmental and supranational elements and intra-EU migration (free movement for the EU citizens) has been largely supranationalized while extra-EU migration (immigration and asylum) remains subject to intergovernmental cooperation" (Geddes 2000:636), pro-migrant organizations must focus on both levels.

5.2.2 Specific opportunities

In addition to the above general discussion of the lobbying opportunities available to interest groups in general, others will be more specifically related to the aims and situation of the particular type of interest group. In the case of pro-migrant groups, they include partnerships between pro-migrant groups and European institutions, human rights networks active at the European level, the social-democratic orientation of the EU.

To avoid any terminological ambiguity, the distinction between migrants and ethnic minorities has to be made. Migrants refer to groups "formed by the decision of individuals and families to leave their original homeland and emigrate to another country for economic

sometimes also for political reasons as well. They therefore consist thus of migrants and refugees and their descendants, who are living on a more than merely transitional basis in a country other than that of their origin" (Medda-Windicher 2004). They are seen as new minority groups, different from minorities approached in the conventional way. As to "historical, national or traditional or autochthonous minorities, they generally refer to communities whose members have a distinct language and/or culture or religion of their own. Very often, they became minorities as a consequence of a re-drawing of international borders and their settlement area changing from the sovereignty of one country to another; or they are ethnic groups that, for a variety of reasons, did not achieve statehood of their own and instead form part of a larger country or several countries" (Medda-Windicher 2004). They are also citizens of the countries in which they reside.

A key lobbying opportunity for pro-migrant groups stems from the fact that the "EU offers new institutional venues and access points for representatives of electoral popular diffuse interests, such as women's groups, environmentalists and consumers" (Judge and Mazey 2000:633). A case in point is represented by Denmark, Finland, Ireland, the Netherlands and Sweden that grant electoral local electoral rights to all non-nationals, including migrants (Shaw 2004:7).

Another venue is the Anti-Discrimination and Civil Society unit of the European Commission focused on: migration policy, free movement, racism and xenophobia (Anti-Discrimination and Civil Society Unit, Homepage). Its origins can be traced back to 1999 when the European Commission was reorganized (Geddes 2000:640). In March 1999, the Santer Commission resigned because of accusations of financial mismanagement, corruption, fraud and nepotism. Following it, in September 1999, the Prodi Commission committed itself to undertake "the most radical internal modernisation since the Commission was established in 1958" (Anti-Discrimination and Civil Society Unit, Homepage). Its accountability and responsibility related

ambitions were also stipulated in the 2000 White Paper on Reforming the Commission (White Paper on Reforming the European Commission 2000).

The European Parliament also has some competences to deal with racism and xenophobia issues through its parliamentary committee responsible for Citizens' Freedoms and Rights, Justice and Home Affairs. The Consultative Commission on Racism and Xenophobia that come out from the intergovernmental Franco-German initiative launched at the December 1994 Corfu European Council is another case in point.

On the model of funding and co-optation described above, partnerships have begun to be established between European institutions and some pro-migrant groups. They could also be extended to other groups. "The potential for formation of pro-integration alliances between supranational institutions and pro-migrant organizations suggests a strategic orientation on the part of pro-migrant groups towards participation and compliance as a means of securing access to EU resources" (Geddes 2000:645). The Starting Line Group founded in 1992 by a team of independent experts coming from six member states, the European Council on Refugees and Exiles, an umbrella organization of 76 refugee-assisting agencies in 30 countries and the European Union Migrants Forum which represents fifteen million people living in the European Union whose family and cultural life have their root outside the member states have all formed such partnerships.

The presence of human rights networks active at the European level might also encourage pro-migrant organizations to develop their campaigns internationally. For example, Franciscans International, one of our sample organizations, conducts its lobbying in the European arena together with other 11 organizations that constitutes the so-called NGO Platform including Amnesty International, Anti-Slavery International, December 18, Fédération Internationale des Ligues des Droits de l'Homme, International Catholic Migration Commission, Jesuit Refugee Service, Migrant Rights International. The existence of such networks is also essential for some

pro-migrant organizations that have only just commenced their lobbying at the European level: "So far, we are basically dependent on the contact with other organizations. We hitch to the initiatives started by other organizations. Independently, we have not yet developed something like a real lobbying effort at the European level. We really have to articulate our own European lobbying policy" (Abspoel, interview, June 30, 2005).

"The more and more social democratic orientation of the EU" may function as incentive for pro-migrant groups, says Joseet (Interview, [date]). "Governments in power, like Schroeder's and Blair's, begin to recognize the fact that there are benefits of migration in the EU, because of low birthrate, declining population and so on. This year [2005], the European Commission has issued a Green Paper on managing migration. That would be a very interesting challenge for us to see that the political elite of the Establishment recognizes that migration is beneficial." (Joseet, interview, July 3, 2005).

European legal provisions tailored for immigrant groups also provide openings for pro-migrant groups. The Amsterdam Treaty (1999) lays the ground for developing the European migration policy with its initiative to move immigration and asylum matters from member states' control to the European institutions' authority. Even if the effective implementation of this measure is completed by 2004 and it constitutes another set of opportunities for lobbying. In addition, the Amsterdam Treaty enlarges the anti-discrimination provisions by extending their basis of applicability to criteria such as race, ethnic origin, religion, age, disability and sexual orientation. "The EU became empowered to take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation" (Article 13, Amsterdam Treaty 1999).

The Europeanization of the asylum policy is acknowledged as lobbying motivations by several organizations we have interviewed. For instance, Abspoel says: "It becomes necessary to lobby at the European level, with more power and informational flow shifted to the European

institutions, especially in the area of asylum policy" (interview, June 30, 2005). Joseet also mentions a similar reason: "We started our lobbying at the European level simply because of the evolution over years of a common European asylum system" (interview, July 3, 2005).

In 2000, two European Directives confirmed the European institutions' interest in imposing a general framework for dealing with anti-discrimination measures: the Council of Ministers' Directive on implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (June 2000) and the Council of Minister's Directive establishing a general framework for equal treatment in employment and occupation (November 2000). Since European Directive "shall be binding, as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods" (Nugent 2003:239), any directive is compulsory in the sense that it seeks to provide specific minimum requirements in a certain policy from the national level. But it is also "designed to give member states a degree of leeway in determining how they meet its requirements" (Bleich and Feldmann 2004:5). As to the content of these anti-discrimination Directives, the Race Directive stipulates a larger area of applicability including: employment, education, social protection and public housing while the Employment Directive is narrowly centered on employment. In both, "the protection against discrimination conferred by the directives applies to all persons who are on the territory of one of the EU member states, irrespective of their nationality" (Perchinig 2004:2). In addition, both Directives provide protection against four forms of discrimination: direct, indirect, discriminatory harassment and instruction to discriminate. Their content demonstrates how the European institutional agenda has expanded to include the pro-migrant groups' concerns and certain have potential for establishing future alliances between pro-migrant groups and the European institutions. Indeed, such a partnership has already played a role in the Race Directive. The Starting Line Group (SLG), an umbrella organization, was influential in determining the present form of the Race Directive. "In

a point-by-point analysis, Chopin and Niessen (2000) compare the Commission's proposed directive with that of the Starting Line Group, demonstrating the strong similarities between the two" (Bleich and Feldmann 2004:4). The Starting Line Group is an organization created in 1992 by three independent entities: The British Commission for Racial Equality, the Dutch National Bureau against Racism and the Churches Commission for Migrants. In time, this organization has expanded including around 400 NGOs from across Europe, making the SLG a reputable lobbying network against EU racism. Its members are from black and migrant communities, church groups, professional associations and other anti-racist organizations.

Similar claims formulated by migrants in different national contexts are another opportunity for pro-migrant groups facilitating alliances between lobbying actors from different countries. EUMAP formerly known as the EU Accession Monitoring Program is a project of the Open Society Institute that monitors the situation of one vulnerable minority in each of the five member states (Germany, France, Italy, Spain and U.K.) as well as in ten Central and Eastern European countries. In 2002, the EUMAP issued its first report on Monitoring Minority Protection in EU Member States, on how member states comply with the Race Equality and Employment Directives. In Germany and Spain, the EUMAP has chosen the Roma group "because they face serious problems of marginalisation and discrimination in both countries" (EU Accession Monitoring Program, see Websites). The research undertaken on the other three countries (France, Italy and U.K.) is centered on Muslims' conditions. The grounds for selecting this ethnic minority are: their great numbers, their perceived difference from the local community and their limited assimilation and acceptance mainly due to their late arrival in Western Europe (EU Accession Monitoring Program, Homepage). The findings of this research reveal that both ethnic communities, irrespective of country, formulate their demands in terms of universal human rights. For instance, the major claims articulated by Roma communities are: access to education, employment, health service, private and public housing. Similar forms of exclusion are

experienced by Muslims in U.K., France and Italy. The report finds major deficiencies in the implementation of both Directives into the domestic legislation of member states. As long as the patterns of marginalization and discrimination are still in place and they look similar regardless of national location, there are plenty of joint lobbying opportunities, both locally and at the European level. In brief, the lobbing opportunities available to pro-migrant groups come both from the European context (e.g. the growing Europeanization of the migration and asylum policies, the creation of special units focused on anti-discrimination issues within the European Commission and the European Parliament, the partnership already created between some pro-migrant groups and the European institutions, the social democratic orientation of the EU) and the national space (e.g. similar demands claimed by migrants from different countries are conducive to common lobbying agendas and the propspect of alliances between pro-migrant groups).

5.2.3 Obstacles

European and domestic limits on lobbying also condition the network space where pro-migrant groups work. The examination of these barriers helps us to estimate how successful pro-migrant groups might be as lobbying actors and what constraints they are likely to face during their lobbying interactions. At the European level, most of barriers result from the unsettled character of the European integration process, the European institutions' efforts to reposition themselves in a changing arena, the lack of transparence associated with the European institutions and the member states' reluctance to embrace the EU perspective on migration. Domestic barriers come mainly from the anti-immigration climate and the narrow politics followed by states that often disregard the migrant workers' and non-workers' rights.

"The European policy process is in flux, varying between policy areas and over time" (Wallace and Young 1997:235). The European Commission's policy agenda also bears traces of uncertainty (Mazey and Richardson 1993:10). Even though the European Commission makes

known its legislative agenda every year, the final form of it is different. Most of new issues come up because national governments use their own mandate of President of the Council of Ministers for promoting their own agenda. These circumstances put two sorts of demands on pro-migrant groups: informational and organizational. Pro-migrant groups have to keep themselves informed about the European institutions' initiatives as long as they are interested in maintaining an issue on the European agenda. Given the unpredictability of the European institutions, pro-migrant organizations have to be highly flexible. They need to be able for instance, to repackage their own agenda for responding better to the current EU imperatives or to rethink their alliance policy for covering several access points to the EU institutions.

The future enlargement of the Community together with the "overcrowding" of the policy sectors represents another potential obstacle for pro-migrant groups (Gustafsson and Richardson 1993:17). In fact, this issue is subject to different readings. European enlargement might be seen as opportunity, if we consider it in terms of increased number of actors available for creating alliances. At the same time, it may be an obstacle if it reduces the visibility of the pro-migrant groups among the other interest groups.

Another likely obstacle, mainly for pro-migrant groups that are just entering the European arena, is to get access to the Community's institutions: "One of the problems is that power structures in Brussels are less transparent than at the national level. Here it is easy. You go to a member of any political parties and you know what they can do for you. It is a lot harder to find out which strings to pull in this European machinery" (Abspoel, interview, June 30, 2005).

The member states' refusal to agree with the EU's position on migration is another possible limitations of the lobbying efforts: "At least at the institutional level, the EU has acknowledged that it needs migrants and you see it reflected in the Hague program adopted last year. That's how it works at the theoretical level. In reality, the EU finds itself confronting with the attitudes of national governments which tend to be much more restrictive and very reluctant.

Very often, in response to the attempts by the European institutions to introduce a progressive element into debate, they become quite reactionary and nationalistic" (Flynn, interview, July 3, 2005). Additional evidence for this point comes from the member states' reluctance to implement the European position on anti-discrimination. For example, although all member states agreed on implementing this Directive in 2000 when it was issued (Bleich and Feldmann 2004:12) only a few states (Belgium, U.K. and Sweden) managed to make a near complete transposition of the Race Directive into their national legislation by the deadline (July 2003). Other topics on which the cooperation between member states is not yet fully developed are migration and asylum.

The member states' tendency to promote their own interests without considering migrant workers' needs is extremely obvious in the domestic circumstances. For instance, in the case of Britain, "the present model looks exclusively at the interests of British employers, companies. There is a very little understanding of the rights of migrant workers within this system". There is no immediate prospect that the English system will become more responsive to the migrants' needs. On the contrary: "Here it is an incredibly complicated scheme coming into existence that allocates rights on a differential basis, depending on whether you are a highly skilled or moderately skilled worker. It generates confusion and also people find that their interests and needs are difficult to accommodate within the system" (Flynn, interview, July 3, 2005). The short lobbying history of the pro-migrant groups, comparatively with other interest groups stands as a common obstacle to both the domestic and European arenas. The immigrant interest groups have becoming active at the European level since the early 1990s, after the adoption of the Amsterdam Treaty (Geddes 2000:636), much later than the business interest groups or other public interest groups.

The public opinion's negative attitude towards migrants is another barrier for pro-migrant organizations: "To lobby for migrants is very difficult because it has a certain political message, the fear of foreigners. When you lobby for migrants and refugees, there is an electoral liability.

Most people think that by lobbying for them you are actually promoting the concept of open borders." (Joseet, interview, July 3, 2005). This anti-immigration climate is also noticeable in other countries where parties with tradition of social inclusion policies and positive orientation to internationalism have not yet granted electoral rights to migrants (e.g. Germany). This tendency is confirmed by opinion polls conducted across Europe. For instance, the European Commission's Eurobarometer that measured citizens' attitudes towards migrants in several successive years (1988, 1990, 1991, 1992, 1993, 1994 and 1997) revealed results that were "hardly favorable or friendly to immigrants. Roughly one in two Europeans think that there are 'too many migrants' in their country. One out of four Europeans prefer not to accept foreign workers' entrance in their country at all. One in three would like to see migrants' rights reduced, while only one in six favors enlarging them" (Vila-Belda 2000:6).

5.3 Summary

In conclusion, pro-migrant groups operate in a less favorable context than other interest groups. For them, lobbying barriers emerge in various forms (e.g. misconceptions, hostility) even before planning and conducting their lobbying campaigns. In addition, given their short lobbying history, pro-migrant groups might be inclined to promote their interests at the European level collectively rather than individually. In fact, as our analysis indicates the number of barriers met by pro-migrant groups in the European arena exceeds those present in the domestic circumstances. Usually, most of the domestic obstacles faced by pro-migrant groups do not originate in a poor interaction with national institutions. They are coming chiefly from the contrast between the European and domestic stance adopted by states. A major lobbying opportunity for pro-migrant groups is represented by the increasing Europeanization of migration and asylum policies. This process opens up a new lobbying arena for pro-migrant groups, placed at the European level. In this way, pro-migrant groups get access to new lobbying targets in the

form of the European institutions as well as to new prospective partners for their lobbying activities. Several units dealing with anti-discrimination established within the main European institutions come as arguments for it. Another set of opportunities for pro-migrant groups derives from the organizations with which they might constitute lobbying alliances. On the one hand, the human rights networks operating at the European level are able to provide them with access points to the European institutions. On the other hand, the similarity of claims formulated by other pro-migrant organizations serves as ground for creating lobbying coalitions.

Chapter Six - Aspects of the Lobbying Patterns in the Pro-migrant Groups Area

6.1 Introduction

This chapter looks at how domestic and European circumstances influence the lobbying interactions of the pro-migrant groups in our sample and the patterns they evince. The information on which this chapter is based was collected through quantitative and qualitative research methods. The research was conducted in two phases. Initially, an electronic questionnaire was distributed to 17 pro-migrant groups active both at the national and European levels. The main source for selecting these organizations was the Portal for the Promotion and Protection of the Rights of Migrants (www.december18.net). The overall aim of this research phase was to examine how pro-migrant groups build up their lobbying patterns in two kinds of arenas: national and European. The low rate of responses (4 out of 17) determined the conversion of our research from a quantitative to a qualitative perspective. The second stage of research was centered on investigating the four respondent organizations through structured interview. We pursued two objectives: to analyze how pro-migrant groups make use of domestic and European lobbying opportunities and to understand, in outline at least, the lobbying history of each organization.

Eventually, our sample came to be composed of the following organizations: Joint Council for the Welfare of Immigrants (U.K.), Office of Refugee Policy, Catholic Bishops' Conference of England and Wales, Franciscans International Geneva and the Advocacy and Refugee Organizations in the Netherlands (Vluchtelingen organisaties). Looking at this sample in terms of typology, we may underline three sorts of organizations: NGO (Joint Council for the Welfare of Immigrants), umbrella organization (Refugee Organizations in the Netherlands) and church-based associations (Franciscans International and Office of Refugee Policy, Catholic

Bishops' Conference of England and Wales). In addition, most of these organizations are nationally based. As most Swiss pro-migrant groups from the Portal for the Promotion and Protection of the Rights of Migrants are international organizations, we selected an international organization to form our sample, Franciscans International. In doing it, we do not infringe on our initial condition, that organizations have to be also active at the national level. Franciscans International has opened up one of its offices in Switzerland and lobby in this country. In spite of its narrow character and somewhat self-selected nature, the research sample on which this thesis is grounded is still relevant. The sample organizations stand for different domestic lobbying traditions. They have already got a certain lobbying visibility primarily in the national arena. In addition, the typology to which they are subsumed is pretty close to that distinguished by both Gray and Statham (Theoretical Perspectives Chapter) in relation to pro-migrant groups.

The countries from which our final sample organizations came are: Britain, Switzerland and the Netherlands. They were part of an initial larger sample composed of other two countries: France and Germany. As French and German organizations to which the questionnaire was distributed did not respond to it, the final research sample was based on pro-migrant groups coming from only three countries. This research sample has been already tested in studying the migration field. Koopmans employed the five-country-sample to examine the claims formulated by immigrants and ethnic minorities living in those places (2005). His survey findings revealed motivations for including Switzerland among the countries researched by this thesis. Switzerland has the highest proportion of supranational claims (10%), in comparison to the other four countries of the sample (2005:13). Due to this aspect, this thesis assumed that lobbying in the European arena might stand as a key concern for Swiss pro-migrant groups. Another reason for examining Switzerland comes from the contrast between its late commitments to international conventions on migration issues (it signed the Convention on the Elimination of all Forms of

Racial Discrimination in 1994) and its status of seats of many supranational NGOs and institutions (Geneva-based UNCHR) (Koopmans 2005:13).

6.2 Methodological aspects

The methodology employed in this thesis has five aspects: the selection of the questionnaire as the main research tool for our investigation, the principles around which it was designed, the conduct of the research, the sample selected for it and the primary and secondary sources which have enabled and strengthened the conclusions.

6.2.1 Questionnaire

The study of the lobbying patterns of pro-migrant groups in national and European contexts is ill served by the literature and primary research was necessary. The use of questionnaires yields data directly from first-hand sources. The data collected through our questionnaire reveal the forms and practices of transnational and national political participation of pro-migrant groups: what lobbying techniques pro-migrant groups employ, what degree of activism characterizes them, and how they are mobilizing to participate in the lobbying process. This information may also lay the ground for any further research concerned with identifying the lobbying patterns of pro-migrant groups.

Design of Questionnaire

Frans Van Waarden' s theoretical model on policy networks (1992:32) has the following dimensions: types of actors' functions, power relations, structure and strategies. It was adapted to the research problem and to the main lobbying phases that shape the lobbying patterns: forming lobbying coalitions, promoting immigrants' interests and building up lobbying agendas.

Actors' functions must be analyzed in relation to the coalitions in which they participate. Power relations refer to how the roles assumed by actors within coalitions affect their politics of alliances. The notion of structure is used here in the sense of settled patterns of associations between different actors across network. Strategies are assessed with the help of three parameters: actors' commitment to individual or collective lobbying activities, their lobbing agenda and the most probable lobbying targets they are aiming at.

The questionnaire questions for defining the lobbying agenda and the institutional targets stem from several reports on the conditions of migrants. EUMAP's report, has already been cited. As the report notes, most of the anti-discrimination claims formulated by migrant groups refer to access to education, employment and housing. Another report, the *Report on Legal and Social Conditions for Asylum Seekers and Refugees in Western European Countries* issued by the Danish Refugee Council in 2003, focused on the analysis of migrants' conditions and investigated the same social issues both in relation to asylum seekers and refugees (Danish Refugee Council, Homepage). The Danish Refugee Council is an umbrella organization for 30 member associations that run programs in 17 countries. The present report covers the refugees' situation from 16 Western European countries. It results from the co-operation between the Danish Refugee Council and refugee assisting NGOs in each country.

To get an idea about the degree of activism demonstrated by our sample actors the questionnaire measures the frequency of their lobbying interactions and seeks to distinguish in what lobbying sequence our actors are mostly involved. With regard to the levels of governance at which our sample organizations are active, levels which have been theorized with the help of the multi-level governance approach, the questionnaire is structured around two sections, one of them deals with the national type of lobbying whereas the other is focused on EU-level lobbying.

In general the questionnaire was kept simple so that it would be easier to administer, especially considering that it was to be self-administered and distributed by way of email. To

avert the risk of getting scant information, there is a response scale that ranged from one to five for each question. The questions fall within two categories: questions that require making a single choice out of three or four possibilities and questions that imply ratings on a scale from one to five. Each scored response has its own relevance within the category of responses to which it belongs.

The questionnaire was distributed electronically in April – May 2005 to the secretaries general of the original 17 organizations on the assumption that they are in the right position to measure the lobbying performance of their organization both nationally and trans-nationally. This methodology has its limits. For instance, it is not possible to control context effects and it is possible that other persons, in addition to the secretary general may fill in the questionnaire. However, given the information being sought, this was not expected to be a major problem. The electronic questionnaire is as valuable as traditional research tools: "For many purposes, it has been found that people answer questions in comparable ways by telephone, to a personal interviewer or in a self-administered form" (Fowler 1995:75).

6.2.2 Interview

The use of interviews was motivated by two purposes: explanatory and informational. On the one hand, interview permits a more precise focus on what contextual variables influence the lobbying interactions and how they do so. On the other hand, interviews enable the gathering of further, organization-specific, information. In doing so, interviews work as helpful tools for supplementing the data collected by questionnaire. The interviews were addressed to the same persons who responded in the first phase of our research.

6.3 Research results

6.3.1 Joint Council for the Welfare of Immigrants - JCWI

The JCWI is the most experienced of our sample organizations with the broadest scope of activities. "We are the only organization [in U.K.] that covers all areas of immigration, from economic migrants, family reunification, asylum and refugee issues. But we also deal with nationality law, the problem that immigrants have in negotiating their integration into life and eventually getting citizenship" (Flynn, interview, July 3, 2005). The JCWI' s activities in the domestic arena could be traced back in 1967 when U.K. was confronted with a major crisis on issues of migration. Two governmental initiatives, the Commonwealth Immigration Act (1962) and the White Paper on Immigration (1965), had tightened immigration controls for black British citizens. An entire hysteria had been building up across the country against immigrants. "There were campaigns up and down the country. The creation of the JCWI was thought of as a response to that." (Flynn, interview, July 3, 2005).

The Joint Council's involvement in lobbying at the European level occurred during the negotiations on the Single European Act (1985): "Then changes were made to the regime for internal movements across internal frontiers. And we have an active interest in all areas of European laws particularly as regards the people exercising free movement" (Flynn, interview, July 3, 2005).

At present, the JCWI's lobbying campaigns have got an ongoing character both locally and at the European level, as our questionnaire indicates. There are many lobbying opportunities both at the national and European levels. One concerns the "transition of the British system from a very restrictive immigration control regime that has been in place since the early 1970s to migration management in 2000... It means a greater recognition that the U.K. economy needs migrant workers to be able to operate effectively" (Flynn, interview, July 3, 2005). Various legal initiatives on migration characterize this process of change: "Approximately once every 18

months a new bill goes through Parliament and every time it happens I have to analyze the bill and the implications that are intended by each of the clauses and to come out with a policy response in front of politicians, MPs. And that covers the entire spectrum of immigration policy, from refugee policy to economic migration and naturalization and citizenship issues." (Flynn, interview, July 3, 2005). Constant cooperation with migrant organizations is a key source for lobbying opportunities: "At the moment, I am working with an association of Bulgarian nationals who experience difficulties in getting visas at the British embassy in Bulgaria." (Flynn, interview, July 3, 2005). The JCWI' s openness to various migrant-related issues is noticeable in their regular concerns: "Our anti-discrimination work concentrates on issues like visa procedures, work permits, family reunification policies and anti-deportation work" (see Questionnaire). The issue of family reunification is an old item on their lobbying agenda: "We have worked on family reunification in the last 20 years...We had a rule on it that was very complicated and discriminatory. We produced reports, we lobbied the Parliament and the rule was abolished in 1997" (Flynn, interview, July 3, 2005). The reference is to the 1971 Immigration Act that placed the family reunification rights under the same restrictive policy applied to migrants as the two previous major immigration acts (Commonwealth Immigrants Act – 1962 and its successor from 1968). (Flynn 2002). The JCWI' s success modified the British policy on family reunification, attenuating its restrictive character. In spite of that, the context where the JCWI operates still raises some lobbying problems: "There is a very little understanding of the rights of migrant workers within the British society. The current system looks exclusively at the interests of British employers and companies" (Flynn, interview, July 3, 2005).

The Joint Council lobbies the entire range of targets indicated in the questionnaire: national government and agencies (the highest ranked among its preferences), members of the national parliament and local parliamentary representatives in the European Parliament. As far as the U.K. government is concerned, "90% of the JCWI' s work consists in dealing with the Home Office and, in particular, with Immigration and Nationality Directorate responsible for

immigration and control" (Flynn, interview, July 3, 2005). The most frequent form of the JCWI's cooperation with the British government is the production of papers on migration-related problems and discussions with officials.

The lobbying opportunities available at the European level are similar, says Flynn. The EU has also acknowledged its need for migrants, as the Hague program demonstrates. A more recent lobbying opportunity for the JCWI was the debate on immigration policy: "The European Commission has published the Green Paper on Migration [see Historical Chapter] in March, this year. We have been producing policy responses to that and we have made presentations to the Parliamentary Committee" (Flynn, interview, July 3, 2005). The JCWI has also formulated anti-discrimination claims addressing different aspects of migration: movement of family members, nationality discrimination and frontier crossing. However, lobbying barriers are also visible in the European space. The most frequent form taken by them is, in the JCWI' s view, the resistance of national governments to the implementation of the EU policy in the field (see Chapter 5).

The European institutions to which the JCWI directs its lobbying campaigns are the Justice and Home Affairs Directorate of the European Commission, the Court of Justice (both ranked with 5 points out of 5 in the questionnaire), followed by the European Parliament and the Council of Europe (scored with 2 points).

To be able to reach a diversity of domestic and European lobbying targets, the JCWI makes use of diverse techniques. Both at the domestic and European levels, they conduct lobbying campaigns individually as well as collectively through coalitions (see Questionnaire). They cultivate alliances with a large variety of actors: NGOs, refugee groups, peak (umbrella) organizations, professional associations and political parties. The highest ranked actors in both circumstances are NGOs whereas political parties are placed at the bottom of the JCWI' s preferences. As regards their participation in different networks, domestically, the JCWI is part of a network composed of 200 migrant and pro-migrant organizations (see interviews). At the

European level, the JCWI is, among others, member of the Starting Line Group we have already mentioned. The Joint Council shows a similar flexibility in taking on different roles within coalitions, both in the national and European arenas. The JCWI performs all functions suggested by our questionnaire: initiator, resource provider, coordinator, feedback supplier and communication with lobbying targets. Another element that comes to confirm the JCWI' s activism at the domestic and European levels regards its involvement in all phases of the lobbying process ranging from monitoring problems, imposing issues on public agenda, framing issues to influence politicians prior to the voting decision.

6.3.2 Catholic Bishops' Conference of England and Wales - CBCEW

The CBCEW is an interesting organization for several reasons. Firstly, it shows us how a religious organization regards and promotes the migrants' interests: "We have a distinct voice in supporting migrants. It is defined by universality and the message of international solidarity." (Joseet, interview, July 3, 2005). Second, the CBCEW, through its Office of Refugee Policy "has a purely policy approach to migration. We are a technical unit concerned more about legislation, policies of the government and the EU (Joseet, interview, July 3, 2005).

Third, the double foci of the CBCEW' s lobbying agenda stand as another charaqcteristic of this organization:"We are dealing not only with migrants but also with asylum seekers" (Joseet, interview, July 3, 2005). Fourth, the CBCEW has a deeply rooted lobbying experience that at the domestic level beginning "in the early 1970s, when the refugee crisis became more acute because of the Cold War. Then there was a huge flow of refugees [50 million] towards the rich countries, including the U.K. Although Britain had signed the Geneva Convention on Refugees, committing itself to protect refugees, its domestic legislation was still restrictive, controlling people to come into U.K. The CBCEW' s interest in migration issues emerged as result of this discrepancy between U.K.'s commitments and its actual practice. Even now, there

are still perception problems with migration that affect both a smooth lobbying and the adoption of proper policies in this field: "For me, the biggest hurdle is the refusal of the EU governments to recognize the fact that migration is going to stay with us for very long time. There is no point in pretending that migration can go away or you can legislate it away" (Joseet, interview, July 3, 2005).

The origin of the CBCEW's lobbying activities at the European level can be traced back to 1985 when "the European Commission issued a first Green Paper on migration in the EU. As soon as the European governments began to think or act as a whole, most of my partners in the EU Bishop Conferences, including myself felt that we need a joint voice or representation and lobbying. It was more reactive than proactive. It was reacting to the fact that increasingly, the EU is acting as a unitary block in terms of migration policy." (Joseet, interview, July 3, 2005).

At present, the CBCEW's lobbying initiatives occur on a regular basis at the national level where this organization is committed to all phases of the lobbying process (monitoring problems, framing issues, imposing them on public agenda, influencing politicians). In the European arena, the CBCEW's lobbying interactions have rather an ad-hoc character. The reason for this is that different lobbying strategies are adopted at the national and European levels. In the domestic context, the CBCEW undertakes lobbying activities both individually and through coalitions whereas at the European level, they are centered on alliances. The European partners of the CBCEW are mainly peak organizations from the catholic network: Caritas Europe that has a Commission for Migration and COMECE, the Commission of the Bishops' Conferences of the European Community. "At the European level, our thinking is influenced by our partners from Brussels, mainly by COMECE. We leave the specific lobbying to them because they have the right context – the European Parliament, the European Commission." (Joseet, interview, July 3, 2005). In the domestic arena, other sorts of actors enter into alliance with the CBCEW: political parties and professional associations. As far as lobbying opportunities are concerned, the CBCEW's concern about legislation on migration helps it to benefit by the changing judicial

framework on this issue, both locally and internationally. As our questionnaire indicates, the CBCEW pays a high attention to monitoring potential lobbying problems both in U.K. and the EU. Its openness towards the changes produced in the migration field is noticeable in its broad lobbying agenda. All three claims stated by our questionnaire figure on their national and European agenda: asylum requests, rights of free movement and anti-discrimination provisions. Some of these issues were turned into successful lobbying campaigns. For instance, in 2003, the CBCEW managed to amend the British Immigration Act by replacing the voucher system for supporting asylum seekers with cash benefits. At present, at the EU level their main focus is placed on the Commission's Green Paper on managing economic migration: "The Green Paper generally must be welcomed but there are aspects of it with which I disagree and most of my partners do. I refer to the right of residence, criteria for the migrants coming to the EU, the tendency to favor the highly skilled migrants rather than those migrants who have low skills. The danger is to encourage highly skilled migrants and to loose the other migrants" (Joseet, interview, July 3, 2005). Locally, the CBCEW 's current interest is related to the "fresh legislation that the British government brought last week. It is based on the assumption that removal and detention will be very important tools to prevent asylum seekers from coming to U.K." (Joseet, interview, July 3, 2005).

The most frequent domestic lobbying targets are two governmental departments: Home Affairs that is the office for internal security and the Foreign Office. They are supplemented by the British Parliament (the House of Common) as well as by the local parliamentary representatives in the European Parliaments. All these institutions are ranked equally in their preferences, getting the highest score (see Questionnaire). In the European arena, the CBCEW's lobbying efforts are conducted towards the European Parliament and the European Commission. In response to the questionnaire, Joseet clarified that even in circumstances where the CBCEW acts within coalitions, it communicates directly with lobbying targets, locally and internationally.

Nevertheless, there is a difference in its domestic and European lobbying activities. Whereas, in the European coalitions the CBCEW supplies feedback and provides resources, in the domestic alliances, it initiates the lobbying campaigns.

6.3.3 Refugee Organizations in the Netherlands – VON (Vluchtelingen organisaties)

The VON deals with a particular category of migrants, refugees. It represents refugees' interests in the Netherlands, being an umbrella association composed of 400 local and regional refugee organizations (e.g. Afghans, Kurds, Iranian). In addition, the VON plays the role of partner consulted by government on behalf of refugees from the Netherlands: "We are members of the organization called National Conference of Minorities. The larger migrant groups are represented here. We stand for refugees in the Netherlands. This organization discusses with government new policies that have to do with migrants and refugees" (Abspoel, interview, June 30, 2005). The importance of the activities of the VON is highlighted by the fact that a much larger proportion of migrants in the Netherlands are refugees: "In the year 2001 a quarter of all migrants in the Netherlands were asylum seekers. In the same year 8% of the asylum seekers in Europe sought asylum in the Netherlands. Considering the total number of asylum seekers, the Netherlands is the fourth biggest receiving country within the European Union [after Germany, United Kingdom and France]" (Beehner 2005). The VON is also an active lobbying organization that covers all phases of the lobbying process, ranging from monitoring problems, framing issues, imposing them on the public agenda to influencing politicians.

Although the VON has conducted lobbying activities in the domestic arena for 20 years, at the European level it has commenced lobbying only this year. The rationale for their late involvement in lobbying the EU institutions is that "lobbying at this level takes lot of time and energy. Basically you have to build up a network and it is much harder at the European level. There is so much competition. You have to develop your own network to be efficient. This is

something that we have to invest lot of time and energy into." (Abspoel, interview, June 30, 2005). This fact has been also regarded as a lobbying obstacle for pro-migrant groups interested in starting their campaigns at the European level. Another barrier to lobbying encountered both in the national and European arenas has to do with "the general fear of aliens that has spread especially after the September 2001 attack and other terrorist attacks. There is some kind of consensus to stop as many refugees and migrants as possible from coming in" (Abspoel, interview, June 30, 2005).

To run lobbying campaigns in the European arena, the VON is dependent on contact with other organizations: "individually, we have not yet developed something like a real lobbying effort at the European level" (Abspoel, interview, June 30, 2005). Regarding the partners selected as lobbying allies: "We have no constant partners. It depends on the issue of hand. So, for example, when we are concerned about migrant children's rights, we usually collaborate with Defense for Children" (Abspoel, interview, June 30, 2005). The VON's lobbying campaigns from the EU arena have rather an ad-hoc character (see both Questionnaire and Interview). While issue based lobbying is also undertaken at the domestic level, there it is employed in addition to the regular lobbying activities. The higher frequency of their domestic lobbying is also determined by: "lots of changes in the field. Asylum policy...just to mention a recent change, it would be the proposal of the minister to send back 10.000 of people who have been staying in the Netherlands for more than five years" (Abspoel, interview, June 30, 2005). In both sorts of circumstances, domestic and European, the VON seeks for lobbying opportunities meaning. Monitoring problems stand as key concern for its lobbying activities (see the Questionnaire). A major domestic opportunity for the VON is that it has the status of consultant on refugee-related issues for the government. In most cases, it means that the VON "reacts to the plans of government. A successful reaction occurred this year to the plans of the present Minister for Immigration and Integration. She came with the project to prevent the radicalization of the young Muslims. Our intervention was quite successful in the sense that the second draft of the Memo was completely

different in its internal content." (Abspoel, interview, June 30, 2005). These initiatives took place as a result of a recent influx of around 700,000 Muslims into the Netherlands, primarily from North Africa (Ode 2002)

Given the incipient character of the VON' s lobbying at the European level, the opportunities available here consist mainly of finding organizations with similar interests for creating coalitions. The chief items that constitute their European lobbying agenda are the rights of migrant women and participatory rights of the refugees. Action on migrant children's rights is also a topic of their lobbying agenda articulated both locally and internationally: "We are busy with these issues for a few years" (Abspoel, interview, June 30, 2005). The VON's lobbying targets in the domestic arena cover the entire spectrum we have indicated though questionnaire: members of the national parliament, national agencies, government (e.g. Ministry of Immigration and Integration) and local parliamentary representatives in the European Parliament (they are ordered from the highest to the less scored targets). The most common forms of domestic lobbying promoted by the VON consist in "approaching members of Parliament, organizing meetings [with politicians] and corresponding with politicians... At the national level, lobbying goes quite smoothly. When you really have a problem at hand it is quite easy to find for example MPs willing to ask questions in Parliament." (Abspoel, interview, June 30, 2005). In contrast, in the European arena, there are few institutions to which the VON addresses its campaigns: Council of Europe and UN organizations. In effect, the VON places a stronger emphasis on the domestic lobbying rather than on the European one. This feature is re-confirmed by the diversity of roles performed by the VON within the national coalitions: initiator, resource provider, coordinator, feedback supplier and communicator with lobbying targets. To illustrate this point, we make reference to how the VON functions as umbrella organization in the Netherlands: "We bring our national organizations together four times a year" (Abspoel, interview, June 30, 2005) or "associations are coming to us with projects which they want to execute. We give them advice,

we are trying to help them find subsidies and organize activities that can contribute to successful integration." (Abspoel, interview, June 30, 2005).

6.3.4 Franciscans International Geneva Advocacy – FIGA

Franciscans International is a catholic NGO that has branches both in Europe and USA. Its American office was opened in 1990 and it covers matters related to human rights, development, peacemaking and environment. The European branch is focused on promoting and protecting human rights of civil, cultural, economic, social and political nature and it dates back to 1997 (Franciscans International, Homepage). A key topic that figures on the European agenda of the Franciscans International is the issue of migration: "our initiatives on migration are inspired by our members, Franciscans sisters and friars at the grassroots level. We support and adjust their requests to the relevant [UN] bodies' agenda. The international work backed the domestic efforts to be more efficient." (Agbetse, interview, June 30, 2005). In addition, Franciscans International has consultative status with the Economic and Social Council of the United Nations in New York and Geneva, delivering written and oral interventions before it. Franciscans International promotes its European lobbying campaigns through a large coalition of prominent NGOs, called International NGO Platform on the Migrant Workers' Convention, where it is member. Other founding members of this alliance are: Amnesty International, Anti-Slavery International, December 18, Fédération Internationale des Ligues des Droits de l'Homme, International Catholic Migration Commission, Jesuit Refugee Service, Migrant Rights International, Organisation mondiale contre la torture, International Movement Against All Forms of Discrimination and Racism, Public Services International and the World Council of Churches. The Platform was created in May 2005 with a view to "facilitating the promotion, implementation and monitoring of the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families" (see details in the Historical Chapter) (Franciscans

International. Homepage). The UN Convention is also the basis of the FIGA's domestic campaigns (see Questionnaire). For instance, "For the Migrant Workers Convention ratification campaign [2003], we provided our members with information regarding the Convention – Handbooks, newsletters – and we proposed them to send a letter to their local government and relevant authorities" (Agbetse, interview, June 30, 2005). As the impact of this Convention remains limited, it being ratified primarily by the countries of origin of migrants (e.g. Mexico, Philippines) it will be a long-term lobbying effort to persuade Western migrant-receiving countries to ratify it (see more details in the Historical Chapter). (United Nations Convention on Human Rights, Homepage). Once this Convention is ratified, the states' periodic reports that monitor the progresses in implementing its provisions can be expected to become the focus of further monitoring and lobbying. In effect, the UN Convention is a constant source of domestic and international lobbying opportunities for the FIGA. However, the reticence of the countries to ratify the UN Convention might pose some lobbying problems to pro-migrant groups. In effect, the Convention is a two-sided phenomenon, being both an opportunity and barrier for lobbying groups. Another lobbying opportunity for the FIGA is the yearly conference of the United Nations Commission on Human Rights (UNCHR) held on March/ April, as it has beeing stressed during the interview. One of the most successful interventions on the part of the FIGA occurred in 2002 on matters of migration and human trafficking. The FIGA called on governments "to establish comprehensive policies, programs and other measures to prevent victimization of women and girls and to protect victims of trafficking from re-victimization as well as to ensure that the treatment of victims of trafficking, especially women and girls are consistent with internationally recognized principles of non-discrimination, including the prohibition of racial discrimination and the availability of appropriate legal redress" were incorporated into the resolution adopted by the UN Commission on Human Rights, at the end of its spring session from 2002 (Franciscans International, Homepage). In addition to the UN, another international

lobbying target for the FIGA is the European Parliament, as it comes out from interview: "The NGO Platform is active working with the European institutions such as the European Parliament. They are more sensitive to our problems". In the domestic context, most of the FIGA's lobbying campaigns are conducted towards the Ministry of Justice and the Ministry of the Interior. The main method used locally for promoting migrants' interests consists in forming coalitions with other refugee and migrant organizations. Usually, the roles performed by the FIGA within the domestic coalitions are as resource provider and communicator with lobbying targets. At the European level, the FIGA's involvement is confined to the function of resource provider. Moreover, whereas at the EU level, the FIGA is highly concerned about imposing an issue on public agenda, in the domestic circumstances, its attention is centered on monitoring problems and framing issues. This latter aspect comes to reassert the FIGA's interest in a good management of lobbying opportunities.

6.4 Summary

There is a consensus achieved by all four pro-migrant groups that member states' reluctance to implement the EU policy on migration constitutes a major lobbying obstacle. However, the presence of this barrier does not prevent pro-migrant organizations from developing their own lobbying pattern. The pro-migrant groups investigated share a couple of characteristics. Most of them seek for lobbying opportunities by monitoring initiatives on migration both locally and internationally. The study of our organizations indicates their tendency to show a higher activism at the national level rather than at the European one. For instance, both the VON and the CWCEW direct their lobbying efforts to all targets we have suggested at the national level (government, national agencies, national parliament and local parliamentary representatives in the European Parliaments) whereas in the European arena each of them is interested in only two institutions (Court of Justice and Unite Nations organizations for the VON and European Commission and Parliament for CWCEW). Franciscans International shows a pretty similar

lobbying behavior. While at the European level, they are focused on the European parliament, in domestic conditions Franciscans International is concerned about lobbying two institutions: government and national agencies. This observation confirms our first hypothesis. As to the JCWI, this organization has an extremely balanced approach to both levels of lobbying, national and international. It does not only consider all lobbying targets we have pointed out in our questionnaire but it is also involved in the key phases of the lobbying process (monitoring issues, framing them, imposing a topic on public agenda and influencing politicians prior to the voting process). To employ coalitions as main lobbying technique stands as further evidence for similarity between our organizations. Three of our organizations (VON, CWCEB, JCWI) are making use of coalitions as well as individual lobbying initiatives both locally and internationally. The FIGA is the only organization that uses exclusively coalitions at the European level. Another common element to all four organizations is their high preference for creating horizontal coalitions, with NGOs. The way to articulate lobbying agenda points to another similarity between these organizations. In all four cases, we notice a certain overlapping between the domestic and European lobbying agendas. For instance, two of our organizations (FIGA and CWCEW) defend the same issues in both circumstances. As to the VON, its lobbying agendas have in common the claim for participative rights of refugees. A topic of interest for the JCWI, irrespective of circumstances, is the family reunification of migrants. Considering all four pro-migrant groups, a recurrent issue on their lobbying agendas regards anti-discrimination provisions. This matter is defended constantly both in the national and the European contexts. The meaning attributed to anti-discrimination varies between organizations. For instance, Franciscans International associates anti-discrimination provisions with migrant workers and their families. The Joint Council for the Welfare of Immigrants considers anti-discrimination in relation to frontier crossing, nationality discrimination and movement of family members. Looking at their lobbying interactions, we notice that all organizations investigated perform

lobbying activities on a frequent ground. Two of them (VON and CBCEW) are involved in periodical forms of lobbying whereas the other two (FIGA and JCWI) conduct lobbying on an ongoing basis. The issue of lobbying impact is a central component of these groups' lobbying approach. Pro-migrant groups' concern about orienting their campaigns towards several domestic and European lobbying targets stands as evidence for it. The use of coalitions as a widespread lobbying technique by pro-migrant groups is another key feature of their strategy. Considering pro-migrant groups as social movement organizations, other common features are singled out. All four pro-migrant groups have emerged as responses to particular domestic and European circumstances. Their convergent agendas points out the existence of shared beliefs among them as well as the potential for solidary actions. In addition, they are inclined to pursue rather forms of collective actions, mainly alliances, for defending migrants' interests. To attain their lobbying objectives, pro-migrant groups mobilize different kinds of resources dependent on their lobbying context, domestic or European. For instance, within the national alliances, the CBCEW plays the roles of initiator and communicator with lobbying targets whereas in the European arena, it is involved primarily in providing resources and supplying feed-back.

To conclude, this small-scale research demonstrates that pro-migrant groups are able to make use of similar lobbying techniques and strategies to those employed by the most prominent interest groups, business and environmental associations. On this basis, they should be regarded with the same consideration like that paid to the other two, more visible interest groups.

Chapter Seven - Conclusions

The initial assumption of this thesis was that pro-migrant organizations pursue different lobbying patterns from the most prominent interest groups (business and public interest). This difference was conceptualized both in terms of frequency and involvement in the lobbying process. There are two main grounds for this position: the hostile and xenophobic climate in which most pro-migrant groups operate and the underprivileged status of the groups they stand for. Yet in the course of this paper, this assumption has been altered in the sense that evidence for similarities between these interest groups has been discovered. The theoretical perspectives on which this analysis is grounded together with the small-scale research we have conducted indicate many similarities between the lobbying patterns of all three interest groups (pro-migrant organizations, business and public interest associations).

The multi-level governance model applied to pro-migrant groups allowed for comparisons between the domestic and European lobbying interactions they run. A number of common features can be singled out. Pro-migrant groups are more and more present throughout the entire policy cycle both nationally and at the European level. Two organizations of our sample (the Joint Council for the Welfare of Immigrants and the Refugee Organizations in the Netherlands) cover all stages of the decision-making process both in the national and European circumstances. The Catholic Bishops' Conference of England and Wales shows a light difference between its national and European lobbying. Whereas in the national context it pays attention to all phases of the policy cycle, in the European arena it covers everything except imposing an issue on public agenda. The Franciscans International is more focused in both circumstances. Nationally, it is concentrated on two sequences (monitoring problems and framing issues) while in the European space it is concerned only about imposing an issue on public agenda. In addition, as our research indicates, pro-migrant groups become more active both in the national and

European arenas. Two factors account for this feature. First, most of the lobbying interactions developed by the four pro-migrant organizations have a regular character. This frequency is noticeable at all four pro-migrant groups, primarily in the national context (see Questionnaire). At the European level two out of four organizations (the Refugee Organizations in the Netherlands and the Franciscans International) manage their lobbying interactions on an irregular basis. The reasons for it are pretty simple. The Refugee Organizations in the Netherlands have just commenced lobbying in the European space without developing yet a lobbying strategy for it. The Catholic Bishops' Conference of England and Wales is largely influenced in its European lobbying by the Bishop Conferences of the European Community (COMECE). Second, all pro-migrant groups investigated make use of several access points to the national and European institutions. This tendency is more prominent in the national context, where pro-migrant groups (except Franciscans International) orient their lobbying campaigns towards the entire spectrum of actors suggested by questionnaire: members of the national parliament, members of government, representatives from national agencies and local parliamentary representatives in the European Parliament. In the European arena, their focus is narrow. For instance, both the Refugee Organizations in the Netherlands and the Catholic Bishops' Conference of England and Wales direct their lobbying towards two international institutions. Franciscans International is interested in communicating only with the European Parliament. In contrast, the Joint Council for the Welfare of Migrants covers all access points we have indicated by questionnaire, both at the national and European levels.

The use of the policy network model facilitates the analysis of various actors that are subsumed by pro-migrant groups. As the small-scale research shows, we approach both the newly emerged lobbying groups in the European arena (the Refugee Organizations in the Netherlands) and the old pro-migrant associations (the Joint Council for Welfare of Immigrants). In addition, the organizations that form the research sample are pretty diverse. Their typology is articulated

around: NGOs (the Joint Council for the Welfare of Immigrants), umbrella organization (the Refugee Organizations in the Netherlands) and church-based associations (Franciscans International and the Catholic Bishops' Conference of England and Wales). The policy network perspective facilitated a research made on when pro-migrant groups commenced their lobbying interactions and how these interactions have been developed. As to the latter point, we noticed that the lobbying interactions of pro-migrant groups occur in two ways: horizontally (within sector, with other similar organizations) and trans-sectoral (involving political parties, professional associations). The most common type of interactions managed by pro-migrant groups in both arenas, national and European are the horizontal one. The trans-sectoral interactions take place more frequently in the national arena. For instance, three pro-migrant organizations (except Franciscans International) enter into such kinds of interactions. Another point relevant here regards the pro-migrant groups' effort to enhance their status in relation to both the national and international institutions. For instance, the Refugee Organizations in the Netherlands perform the role of consultant on refugee related issues for the government. Franciscans International has consultative status with the Economic and Social Council of the United Nations in New York and Geneva. An immediate application of both multi-level governance and policy network perspectives in the present paper is the comparative analysis lobbying opportunities and constraints encountered by all three investigated interest groups (pro-migrant, business and public interest). The conclusions we have reached emphasize the following. All interest groups have access to a few general opportunities derived from the nature of the European system (called in our study systemic opportunities) as well as from the European institutions with whom they interact (institutional opportunities). There are further specific opportunities opened up for pro-migrant groups. A major opportunity for them is related to the increasing Europeanization of the migration and asylum policies. As a result of it, pro-migrant groups might shift their focus from lobbying in the national arena to lobby in the European space.

It also provides the possibility of expanding their lobbying coalitions by seeking for partnerships created both with the European institutions and with human rights networks already active in the European arena. In terms of lobbying obstacles, pro-migrant organizations are confronted with a major and probably long-term barrier that is not in place in the cases of business and public interest groups. I point to the anti-immigration context where most of them operate. As the 1997 Eurobarometer survey concludes: "racial prejudice, discrimination and racist attacks continue to present a constant problem to the European Union" (Vila-Belda 2000:8).

Even if this obstacle is a serious barrier for pro-migrant groups, the research sample investigated demonstrates that pro-migrant associations have already identified strategies to overcome this problem.

All these aspects come as evidence for an increasing professionalization of pro-migrant organizations, fact that makes them comparable to the most prominent interest groups.

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Sans Papier Movement. http://www.bok.net/pajol/index.en.html.

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Transatlantic Business Dialogue. http://www.tabd.com.

Danish Refugee Council. http://www.reliefweb.int/rw/RWB.NSF/db900SID/JWIN-69WEZL?OpenDocument.

Danish Refugee Council. http://www.ecre.org/factfile/publications.shtml.

Union of Industrial and Employers' Confederations of Europe. http://www.unice.org/.

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Sample Organizations:

Franciscans International. http://www.franciscansinternational.org.

Joint Council for the Welfare of Immigrants. http://www.jcwi.org.uk.

Catholic Bishops' Conference of England and Wales. http://www.cbcew.org.uk.

Refugee Organizations in the Netherlands. http://www.vluchtelingenorganisaties.nl.

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Abspoel, Peter, Refugee Organizations in the Netherlands, Interview by the author, 30 June 2005.

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Appendices

Questionnaire

Instructions: for questions no. 2 and 3 multiple answers are possible.

Part I

1. On average, what percentage of your group participates in the public life, at the national level?

2. On what level does this involvement occur now?
- local
- regional
- national
- international

3. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, in what area of the public life is your group better represented?
- politic
- social
- cultural
- business
- media
- ngos

Part II

1. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, in what sequence of the lobby process is your group mostly involved at the national level:
- monitoring problems
- imposing an issue on public agenda
- framing issues
- influencing politicians prior to the voting process

- others

2. What is the prevalent method used for promoting your group's interests at the national level:
- individual actions
- forming coalitions with other local refugee organizations
- forming coalitions with local influential ngos

3. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, with whom are you making coalitions for promoting your group's interests at the national level?
- political parties
- ngos
- professional associations
- other refugee groups
- other peak organizations

4. Usually, what role do you play in this coalitions at the national level?
- Initiator
- Providing resources
- Coordinator
- Supplying feed-back
- Communicating with lobby targets (i.e. - MPs)

5. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, to whom are oriented primarily your lobby efforts at national level?
- members of the national parliament
- local parliamentary representatives in the European Parliaments
- members of government
- representatives from National Agencies
- others

6. In what area of human rights could be placed most of your lobby claims at the national level:
- asylum requests
- rights of free movement
- anti-discrimination provisions

7. What kinds of anti-discrimination provisions are primarily of interest for your lobby at the national level?

- access to education
- access to employment opportunities
- access to private and public housing

8. What is the most common form taken by your lobby activities?

- one single issue campaign
- mutliple issue campaign

9. On average, how frequently have you participated in lobby activities at the national level in the last 5 years?

- Up to 5 times
- Between 5 – 10 times
- Over 10 times

10. Which of the following terms describe best your lobby campaigns?

- continuous
- regular
- irregular
- ad-hoc

Part III

1. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, in what sequence of the lobby process are you mostly involved at the European level:

- monitoring problems
- imposing an issue on public agenda
- framing issues
- influencing politicians prior to the voting process
- others

2. What is the prevalent method used for promoting your group's interests at the European level:

- individual actions
- forming coalitions with other international refugee organizations

- forming coalitions with influential international ngos

3. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, with whom are you making coalitions for promoting your group's interests at the European level?
- political parties
- ngos
- professional associations
- other refugee groups
- other peak organizations

4. Usually, what role do you play in this coalitions at the European level?
- Initiator
- Providing resources
- Coordinator
- Supplying feed-back
- Communicating with lobby targets (i.e. - MPs)

5. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, to whom are oriented primarily your lobby efforts at the European level?
- the European Parliament
- the European Commission
- the Council of Europe
- the Court of Justice
- Others

6. In what area of human rights could be placed most of your lobby claims at the European level:
- asylum requests
- rights of free movement
- anti-discrimination provisions

7. What kinds of anti-discrimination provisions are
primarily of interest for your lobby at the European level?
- access to education
- access to employment opportunities
- access to private and public housing

8. What is the most common form taken by your lobby activities?

- one single issue campaign

- mutliple issue campaign

9. On average, how frequently have you participated in lobby activities at the European level in the last 5 years?

- Up to 5 times

- Between 5 – 10 times

- Over 10 times

10. Which of the following terms describe best your lobby campaigns?

- continuous

- regular

- irregular

- ad-hoc

Responses - The Joint Council for the Welfare of Immigrants

WebMail - RE: FWD: kind request
Date Sent: Saturday, May 07, 2005 3:43 AM
From: Don Flynn <don_flynn2000@yahoo.co.uk>
To:
Subject: RE: FWD: kind request
Urgent New
The completed questionnaire is below: For further information about our work I'd advise you to check our web-site, at www.jcwi.org.uk.

Don Flynn
Policy Officer
JCWI

"Don Flynn." <Don@jcwi.org.uk> wrote:

-----Original Message-----
From: sfarcas [mailto:sfarcas@uvic.ca]
Sent: Thursday, May 05, 2005 7:43 PM
To: Don Flynn.
Cc: Swati Patel
Subject: RE: kind request

Dear Mr. Coordinator Don Flynn,

Thank you a lot for your help. I include my questionnaire in the present

email.

Much obliged,
Sanda Farcas

Questionnaire

Instructions: for the questions no. 2 and 3 multiple answers are possible.

Part I

1. On average, what percentage of your group participates in the public life, at the national level?

JCWI was established in 1967 for the specific purpose of advocating the interests of immigrants in public life. All of our work is geared towards influencing the shape and direction of immigration policy at all levels.

2. On what level does this involvement occur now?
- local
- regional X
- national X
- international X

3. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, in what area of the public life is your group better represented?
- politic 5
- social 2
- cultural 2
- business 1
- media 3
- ngos 5

Part II

1. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, in what sequence of the lobby process is your group mostly involved at the national level:
- monitoring problems 5
- imposing an issue on public agenda 5

- framing issues 5
- influencing politicians prior to the voting process 5

- others 3

2. What is the prevalent method used for promoting your group's interests at the national level:
- individual actions
- forming coalitions with other local refugee organizations
- forming coalitions with local influential ngos

We use all of the above in our work. It is not possible to say which is 'prevalent' because all are components of our overall strategy.

3. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, with whom are you making coalitions for promoting your group's interests at the national level?
- political parties 1
- ngos 5
- professional associations 3 (mainly trade unions)
- other refugee groups 5 (and migrant worker organisations)
- other peak organizations 5

4. Usually, what role do you play in this coalitions at the national level?
- Initiator
- Providing resources
- Coordinator
- Supplying feed-back
- Communicating with lobby targets (i.e. - MPs)

All of the above.

5. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, to whom are oriented primarily your lobby efforts at national level?
- members of the national parliament 3
- local parliamentary representatives in the European Parliaments 2
- members of government 5
- representatives from National Agencies 5
- others 5

6. In what area of human rights could be placed most of your lobby claims at the national level:
- asylum requests
- rights of free movement

- anti-discrimination provisions

We work on the whole spectrum of immigration, refugee and nationality law and policy. Whether at any one time we concentrate on asylum issues or free movement depends of the specific conjuction of events and public debate.

7. What kinds of anti-discrimination provisions are primarily of interest for your lobby at the national level?
- access to education
- access to employment opportunities
- access to private and public housing

None of the above. Our anti-discrimination work concentrates on issues like visa procedures, work permits, family reunification policies and anti-deportation work.

8. What is the most common form taken by your lobby activities?
- one single issue campaign
- mutliple issue campaign X

9. On average, how frequently have you participated in lobby activities at the national level in the last 5 years?
- Up to 5 times
- Between 5 - 10 times
- Over 10 times

We work at the national level continuously.

10. Which of the following terms describe best your lobby campaigns?
- continuous X
- regular
- irregular
- ad-hoc

Part III

1. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, in what sequence of the lobby process are you mostly involved at the European level:
- monitoring problems
- imposing an issue on public agenda
- framing issues
- influencing politicians prior to the voting process

- others

All of the above.

2. What is the prevalent method used for promoting your group's interests at the European level:
- individual actions
- forming coalitions with other international refugee organizations
- forming coalitions with influential international ngos

All of the above.

3. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, with whom are you making coalitions for promoting your group's interests at the European level?
- political parties 1
- ngos 5
- professional associations 3
- other refugee groups 3 (and migrant worker organisations)
- other peak organizations 3

4. Usually, what role do you play in this coalitions at the European level?
- Initiator
- Providing resources
- Coordinator
- Supplying feed-back
- Communicating with lobby targets (i.e. - MPs)

All of the above.

5. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, to whom are oriented primarily your lobby efforts at the European level?
- the European Parliament 2
- the European Commission 5
- the Council of Europe 2
- the Court of Justice 5
- Others 3

6. In what area of human rights could be placed most of your lobby claims at the European level:
- asylum requests
- rights of free movement x
- anti-discrimination provisions

7. What kinds of anti-discrimination provisions are primarily of

interest for your lobby at the European level?
- access to education
- access to employment opportunities
- access to private and public housing

None of the above. Our anti-discrimination work will normally be concerned with frontier crossing, the movement of family members, and nationality discrimination.

8. What is the most common form taken by your lobby activities?
- one single issue campaign
- mutliple issue campaign
Mixture of above.

9. On average, how frequently have you participated in lobby activities at the European level in the last 5 years?
- Up to 5 times
- Between 5 - 10 times
- Over 10 times.

Continuously.

10. Which of the following terms describe best your lobby campaigns?
- continuous
- regular
- irregular
- ad-hoc

Mixture of all.

Franciscans International

WebMail - RE: questionnaire
Date Sent: Tuesday, May 03, 2005 6:07 AM
From: "FI Geneva Advocacy, Yao Agbetse" <yao@fiop.org>
To:
Cc:
Subject: RE: questionnaire
Urgent New

Dear Sanda Farcas,

I am really sory for being late in sending you back the questionnaire. I just return to the office this morning. Hope my answers will be useful for you in your research.
Best regards
Yao

Questionnaire

Instructions: for questions no. 2 and 3 multiple answers are possible.

Part I

1. On average, what percentage of your group participates in the public life, at the national level?

2. On what level does this involvement occur now?
- local
- regional
- national
- international

3. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, in what area of the public life is your group better represented?
- politic
- social
- cultural
- business
- media
- ngos

Part II

1. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, in what sequence of the lobby process is your group mostly involved at the national level:
- monitoring problems
- imposing an issue on public agenda
- framing issues
- influencing politicians prior to the voting process

- others

2. What is the prevalent method used for promoting your group's interests at the national level:
- individual actions
- forming coalitions with other local refugee and migrant organizations
- forming coalitions with local influential ngos

3. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, with whom

are you making coalitions for promoting your group's interests at the national level?
- political parties
- ngos
- professional associations (Lawyers)
- other refugee groups
- other peak organizations

4. Usually, what role do you play in this coalitions at the national level?
- Initiator
- Providing resources (studies and research)
- Coordinator
- Supplying feed-back
- Communicating with lobby targets (i.e. - MPs)

5. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, to whom are oriented primarily your lobby efforts at national level?
- members of the national parliament
- local parliamentary representatives in the European Parliaments
- members of government
- representatives from National Agencies
- others

6. In what area of human rights could be placed most of your lobby claims at the national level:
- asylum requests
- rights of free movement
- anti-discrimination provisions and respect of Migrant Worker's Rights according to the international standards

7. What kinds of anti-discrimination provisions are primarily of interest for your lobby at the national level?
- access to education
- access to employment opportunities
- access to private and public housing
- social services

8. What is the most common form taken by your lobby activities?
- one single issue campaign. We focused our campaign on Migrant Workers. It is advised to separate sometime Asylum seekers, Migrant Workers and Refugees even if there is connection between the issues.
- mutliple issue campaign

9. On average, how frequently have you participated in

lobby activities at the national level in the last 5 years?
- Up to 5 times
- Between 5 - 10 times
- Over 10 times

10. Which of the following terms describe best your lobby campaigns?
- continuous
- regular
- irregular
- ad-hoc

Part III

1. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, in what sequence of the lobby process are you mostly involved at the European level:
- monitoring problems
- imposing an issue on public agenda
- framing issues
- influencing politicians prior to the voting process

- others

2. What is the prevalent method used for promoting your group's interests at the European level:
- individual actions
- forming coalitions with other international refugee organizations
- forming coalitions with influential international ngos

3. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, with whom are you making coalitions for promoting your group's interests at the European level?
- political parties
- ngos
- professional associations
- other refugee groups
- other peak organizations

4. Usually, what role do you play in this coalitions at the European level?
- Initiator
- Providing resources
- Coordinator

- Supplying feed-back
- Communicating with lobby targets (i.e. - MPs)

5. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, to whom are oriented primarily your lobby efforts at the European level?
- the European Parliament
- the European Commission
- the Council of Europe
- the Court of Justice
- Others

6. In what area of human rights could be placed most of your lobby claims at the European level:
- asylum requests
- rights of free movement
- anti-discrimination provisions

7. What kinds of anti-discrimination provisions are primarily of
interest for your lobby at the European level?
- access to education
- access to employment opportunities
- access to private and public housing

8. What is the most common form taken by your lobby activities?
- one single issue campaign
- mutliple issue campaign

9. On average, how frequently have you participated in lobby activities at the European level in the last 5 years?
- Up to 5 times
- Between 5 - 10 times
- Over 10 times

10. Which of the following terms describe best your lobby campaigns?
- continuous
- regular
- irregular
- ad-hoc

The Catholic Bishops' Conference of England and Wales

WebMail - RE: important question
Date Sent: Thursday, May 05, 2005 7:38 AM

From: "John Joseet" <joseetj@cbcew.org.uk>
To: sfarcas
Subject: RE: important question
Urgent New
JOHN JOSEET
Tel: 020 7901 4862
Fax: 020 7901 4821
joseetj@CBCEW.org.uk

Dear Sanda
Sorry for the delay! Busy with the elections!
John

-----Original Message-----
From: sfarcas [sfarcas@uvic.ca] Sent: 28 April 2005 03:59
To: John Joseet
Subject: RE: important question

Dear Mr. Joseet,

Thank you a lot for your response. As you will see, my questionnaire is pretty simple and it takes only a few minutes to fill in.

Much obliged,
Sanda Farcas

Questionnaire

Instructions: for questions no. 2 and 3 multiple answers are possible.

Part I

1. On average, what percentage of your group participates in the public life, at the national level? 50%
2. On what level does this involvement occur now? - local - regional - national - international
All levels
3. On a scale from 1 to 5, where 5 represents the highest positive value and 1 the opposite, in what area of the public life is your group better represented? - politic 3
- social 3

- cultural 2
- business - media 2
- ngos5
Part II

1. On a scale from 1 to 5, where 5 represents the
highest positive value and 1 the opposite, in what
sequence of the lobby process is your group mostly
involved at the national level: - monitoring problems - imposing an issue on public agenda 3
- framing issues - influencing politicians prior to the voting process 5

- others

2. What is the prevalent method used for promoting
your group's interests at the national level: - individual actions *
- forming coalitions with other local refugee
organizations - forming coalitions with local influential ngos*

3. On a scale from 1 to 5, where 5 represents the
highest positive value and 1 the opposite, with whom
are you making coalitions for promoting your group's
interests at the national level? - political parties - ngos 5
- professional associations 5
- other refugee groups - other peak organizations

4. Usually, what role do you play in this coalitions
at the national level? - Initiator *
- Providing resources - Coordinator - Supplying feed-back - Communicating with lobby targets
(i.e. - MPs)*

5. On a scale from 1 to 5, where 5 represents the
highest positive value and 1 the opposite, to whom are
oriented primarily your lobby efforts at national
level? - members of the national parliament 5
- local parliamentary representatives in the European
Parliaments 5
- members of government 5
- representatives from National Agencies - others

6. In what area of human rights could be placed most
of your lobby claims at the national level: - asylum requests
- rights of free movement
- anti-discrimination provisions
All the above and more

7. What kinds of anti-discrimination provisions are
primarily of interest for your lobby at the national level? - access to education*
- access to employment opportunities*
- access to private and public housing

8. What is the most common form taken by your lobby
activities? - one single issue campaign *
- mutliple issue campaign

9. On average, how frequently have you participated in

lobby activities at the national level in the last 5 years? - Up to 5 times - Between 5 - 10 times* - Over 10 times

10. Which of the following terms describe best your lobby campaigns? - continuous - regular* - irregular - ad-hoc

Part III

1. On a scale from 1 to 5, where 5 represents the
highest positive value and 1 the opposite, in what
sequence of the lobby process are you mostly involved
at the European level: - monitoring problems* - imposing an issue on public agenda - framing issues* - influencing politicians prior to the voting process*

- others

2. What is the prevalent method used for promoting
your group's interests at the European level: - individual actions - forming coalitions with other international refugee
organizations
- forming coalitions with influential international
ngos*

3. On a scale from 1 to 5, where 5 represents the
highest positive value and 1 the opposite, with whom
are you making coalitions for promoting your group's
interests at the European level? - political parties - ngos* - professional associations - other refugee groups - other peak organizations*

4. Usually, what role do you play in this coalitions
at the European level? - Initiator
- Providing resources* - Coordinator - Supplying feed-back* - Communicating with lobby targets (i.e. - MPs)*

5. On a scale from 1 to 5, where 5 represents the
highest positive value and 1 the opposite, to whom are
oriented primarily your lobby efforts at the European
level? - the European Parliament *
- the European Commission*
- the Council of Europe - the Court of Justice
- Others

6. In what area of human rights could be placed most

of your lobby claims at the European level: - asylum requests
- rights of free movement
- anti-discrimination provisions
All the above and more

7. What kinds of anti-discrimination provisions are
primarily of interest for your lobby at the European level? - access to education
- access to employment opportunities*
- access to private and public housing

8. What is the most common form taken by your lobby
activities? - one single issue campaign* - mutliple issue campaign

9. On average, how frequently have you participated in
lobby activities at the European level in the last 5
years? - Up to 5 times* - Between 5 - 10 times - Over 10 times

10. Which of the following terms describe best your
lobby campaigns? - continuous - regular - irregular - ad-hoc*

The Refugee Organizations in the Netherlands

At 01:13 4-4-2005, you wrote:
>Dear Mr. Peter Abspoel,
>
>Thank you very much for your supportive email. Please, let me first explain
>the purpose of my
>questionnaire.
>
> I am currently working on my M.A thesis called Immigrant Interest Groups'
>Lobbying Patterns in
>the EU. In this paper, I take look at a few issues, such as: interest groups
>active in Europe that
>could serve as role model for the imigrant groups, opportunities and barrier
>for the immigrant
>interest groups' lobby and some selected examples on how a few immigrant
>interest groups are
>promoting their own lobby strategy. To treat this last issue, I make use of
>the following
>questionnaire.
>
>This questionnaire doesn't require more than 15 minutes to be filled in.
>Actually, the second
>and third part are pretty similar. The second part is centered on the
>national
>lobby while the third
>one is interested more in the European dimension of the lobby.
>
>I will be much obliged if you could answer me within a week.

>
>Thank you very much for your help and have a great week!
>Sanda Farcas
>University of Victoria/ Canada
>
>Questionnaire
>
>Instructions: for questions no. 2 and 3 multiple answers are possible.
>
>Part I
>
>1. On average, what percentage of your group participates in the public life
>at the national level?

This could mean many things. Who participates in public life at the national level? Are the group all refugees we represent? Then it would be 1 percent or less, according to my definition.

>2. On what level does this involvement occur now?
>- local
>- regional
>- national
>- international

Mostly local.

>3. On a scale from 1 to 5, where 5 represents the highest positive value
>and 1
>the opposite, in
>what area of the public life is your group better represented?
>- politic 2
>- social 4
>- cultural 1
>- business 3
>- media 2
>- ngos 3
>
>Part II
>
>1. On a scale from 1 to 5, where 5 represents the highest positive value
>and 1
>the opposite, in
>what sequence of the lobby process is your group mostly involved at the
>national level:
>- monitoring problems 4
>- imposing an issue on public agenda 4
>- framing issues 3
>- influencing politicians prior to the voting process 2
>- others 3
>
>2. What is the prevalent method used for promoting your group's interests at

>the national level:
>- individual actions
>- forming coalitions with other local refugee organizations
>- forming coalitions with local influential ngos

Both individual actions and forming coalitions with other ngo's. As an umbrella organisation representing hundreds of selforganisations of refugees, of course the latter play an important role as wel.

>3. On a scale from 1 to 5, where 5 represents the highest positive value
>and 1
>the opposite, with
>whom are you making coalitions for promoting your group's interests at the
>national level?
>- political parties 4
>- ngos 4
>- professional associations 2
>- other refugee groups 4
>- other peak organizations (?)
>
>4. Usually, what role do you play in this coalitions at the national level?
>- Initiator
>- Providing resources
>- Coordinator
>- Supplying feed-back
>- Communicating with lobby targets (i.e. - MPs)
All roles

>5. On a scale from 1 to 5, where 5 represents the highest positive value
>and 1
>the opposite, to
>whom are oriented primarily your lobby efforts at national level?
>- members of the national parliament 4
>- local parliamentary representatives in the European Parliaments 1
>- members of government 2
>- representatives from National Agencies 3
>- others
>
>6. In what area of human rights could be placed most of your lobby claims at
>the national level:
>- asylum requests
>- rights of free movement
>- anti-discrimination provisions
both asylum requests and the right to participation

7. What kinds of anti-discrimination provisions are primarily of interest for
>your lobby at the
>national level?
>- access to education
>- access to employment opportunities

>- access to private and public housing
Mostly the first two

8. What is the most common form taken by your lobby activities?
>- one single issue campaign
>- mutliple issue campaign
single issue campaign

9. On average, how frequently have ou participated in lobby activities at the national level in the last 5 years?
>-Up to 5 times
>-Between 5- 10 times
>- Over 10 times

Over 10 times

10. Which of the following terms describe best your lobby campaigns?
>- continuous
>- regular
>- irregular
>- ad-hoc

Regular and ad hoc

Part III
>
>1. On a scale from 1 to 5, where 5 represents the highest positive value
>and 1
>the opposite, in
>what sequence of the lobby process are you mostly involved at the European
>level:
>- monitoring problems 2
>- imposing an issue on public agenda 4
>- framing issues 4
>- influencing politicians prior to the voting process 1
>- others 1
>
>2. What is the prevalent method used for promoting your group's interests at
>the European level:
>- individual actions
>- forming coalitions with other international refugee organizations
>- forming coalitions with influential international ngos
All

>3. On a scale from 1 to 5, where 5 represents the highest positive value
>and 1
>the opposite, with
>whom are you making coalitions for promoting your group's interests at the
>European level?
>- political parties 1

>- ngos 4
>- professional associations 1
>- other refugee groups 4
>- other peak organizations (?)
>
>4. Usually, what role do you play in this coalitions at the European level?
>- Initiator
>- Providing resources
>- Coordinator
>- Supplying feed-back
>- Communicating with lobby targets (i.e. - MPs)
>Sometimes initiator, sometimes supplying feed-back

>5. On a scale from 1 to 5, where 5 represents the highest positive value
>and 1
>the opposite, to
>whom are oriented primarily your lobby efforts at the European level?
>- the European Parliament
>- the European Commission
>- the Council of Europe 1
>- the Court of Justice
>- Others 4

>6. In what area of human rights could be placed most of your lobby claims at
>the European level:
>- asylum requests 5
>- rights of free movement
>- anti-discrimination provisions

Women's rights, participation

>7. What kinds of anti-discrimination provisions are primarily of interest for
>your lobby at the
>European level?
>- access to education
>- access to employment opportunities
>- access to private and public housing
The first two

>8. What is the most common form taken by your lobby activities?
>- one single issue campaign
>- mutliple issue campaign
>single issue campaign

9. On average, how frequently have ou participated in lobby activities at the European level inthe last 5 years?
>-Up to 5 times
>-Between 5- 10 times
>- Over 10 times

Between 5- 10 times

10. Which of the following terms describe best your lobby campaigns?
>- continuous
>- regular
>- irregular
>- ad-hoc
>
>Regular/ ad hoc