



ined

INSTITUT
NATIONAL
D'ÉTUDES
DÉMOGRA
PHIQUES

To grant or not to grant? Family rights of temporary migrants

Tatiana Eremenko, INED / CSIC

TEMPER Meeting

Madrid 20-21 June, 2016

Plan of presentation

- Context and research objectives
- Definition and rights of family members
- Family rights of specific migrant groups in France:
 - high-skilled workers
 - students
 - asylum seekers

- Growing complexity of immigration policies
 - leads to precarious legal statuses
- Work migration categories
 - Status of their “dependents”: who are they? What are their rights?
- Family migration categories
 - Different procedures and conditions depending on family members’ nationalities, education or skill level
- Less analyses analyzing the intersection between:
 - temporary presence (projected / real) of migrants
 - family rights

Research objective

- Understand whether observed differences for different type of migrants (seasonal vs high-skilled workers) are:
 - Result of dimensions in stratification processes due to education, socio-economic levels
 - Specific logic related to the temporality projected duration / projects of migrants
- Expand scope of analysis beyond worker-family categories and include other migration flows:
 - Students
 - Refugees
 - Migrants (previously) in irregular situation

Defining the « dependents » of workers

- Historical evidence: example of Canada (end 19th / start 20th century)
 - Large definition: includes ascendants / collaterals (and not only nuclear)
 - Family members are considered “potential” workers
- With time the definition becomes more restricted
 - Limited to spouse and children, sometimes dependent/elderly parents and other family members
 - Opposed with “work” migrants

Rights of « dependents » of workers: different dimensions

- Possibility to come and timing: same as sponsor, later (minimal duration of separation)
 - Indicator of openness / restrictiveness of different work migration channels
- Right to work in DC
- Other dimensions:
 - Access to social rights: family benefits...
 - Access to health care system
 - Access to compulsory schooling / higher education

- Different HS routes with different family rights
 - researchers
 - skilled workers: national regime, EU Blue Card
- Procedures:
 - “accompanying family”: direct entry, no right to work, no access to family benefits
 - “family reunification”: necessary to change to this if want to access rights

Students and their families

- Access to family reunification procedure (ordinary regime for TCN)
 - Originally excluded (“temporary” vocation / permit)
 - Open to this group in 1993
- Possibility for certain students (contracted PhD) to access accompanying family procedure starting from 2008
- Status of family members
 - depends on situation at entry: “visiteur”, “accompanying family”
 - difficulties to access more “privileged” procedures (reluctance, no information for administrations)
 - more possibilities to be “lose status”: PhD contract finishes

Asylum seekers and their families

- Around one third of asylum seekers are minors
- Considered (classified) as temporary migrants
- Legal status and associated rights:
 - during asylum determination process
 - after decision:
 - Refugee
 - Irregular status

- Assumptions about family life choices among immigrants
 - Confusion arranged / forced marriages -> family formation migration
 - HS: Breadwinner model
 - Trade-off: facility for entry / stay
- (In-)visibility of families of certain migrant groups

Thank you for your attention !

***Questions or comments?
tatiana.eremenko@ined.fr***