Integration of International Labor Migrants: Comparison between South Africa and Latvia

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The paper evaluates existing policies on labor immigration and social integration, and offers a critical analysis of existing Latvian and South African policies of integration. In order to achieve the above objectives, this study focuses on secondary sources which provide subjective analysis and interpretation of the problem under study. The authors approach questions of immigration history and recent labor immigration statistics in South Africa and Latvia and investigate existing policies of integration in those countries. The most important finding is that in both countries there are different attitudes towards labor migrants who are highly skilled, those groups being welcome and facing minimal legal obstacles, while legal immigration of unskilled workers has been made impossible both in South Africa and in Latvia. Thus, these two very different countries exemplify how we are creating a world in which those with sufficient skills or money are free to live and work in the country of their choice while unskilled workers are confined to the country of their birth.
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Increasing levels of migration are attributed to a wide range of factors, both pull and push, that are considered to be triggers and underlying causes (see Boswell, 2002; Caldwell, 1969; Dei & Asgharzadeh, 2002; Hein, 1993). In

particular, migration from less developed to more developed countries is largely driven by the economic conditions in developing countries, including high unemployment and lack of social support services. Political instability in some countries of Africa and Asia provides an additional incentive for migration. Also, concerns have been raised that climate change could further aggravate the already existing mass migration, although there has not yet been any great effect of climate change on migration.

Migration is considered by many individuals as the only option to escape from economic and political challenges faced in their country of origin. In addition, families left behind rely on remittances from their relatives who migrated to countries with better economic, political and social conditions, as in this case South Africa and Latvia. Adepoju (2000) notes that migration has become a means of livelihood for many households in the developing world.

According to Zeleza (2002), a central defining feature of international migration is that people migrate mainly to sell their labor, implying that migration is shaped largely by the capitalist system. While much has been written about the push and pull factors that induce people to migrate, it is equally important to understand the conditions under which immigrants find themselves in the receiving countries and how they adapt to the challenges they encounter there. These challenges can include local conditions of relative deprivation and poverty, unemployment, and xenophobia in a context of intensifying liberalization of the world economies.

South Africa (SA) and Latvia (LV) are markedly different in terms of geography, history, economic development, foreign and interior policy, culture and demographics. They nevertheless have some common features. Both countries are relatively new but stable democracies that experienced significant political changes in recent history: 1991 in Latvia (independence), and 1994 in South Africa (end of apartheid). In both countries, important political, legal and economic transformations have improved the economy and people's living conditions. The 2015 Human Development Report published by the United Nations Development Programme shows that the Human Development Index (HDI) is very high in Latvia, and that Latvia is the third most developed country of the former Soviet Union; and that South Africa has an average HDI and is the ninth most developed African country (UNDP 2015, pp. 47-49).

Recent improvements of economy, democracy and political safety have made South Africa and Latvia attractive regional destinations for international labor migrants. According to this report, Latvia has the highest rate of international migrants in the Eastern and Central European region, hosting 263.1 thousand people who have immigrated to the country, or 13% of the country's population.

Although the Report does not indicate the origins of these migrants, Gearon (2015) reveals that the majority of these migrants are from neighboring countries in Eastern Europe.

The same report reveals that South Africa also has a significant population of immigrants, 3.142 million or 6% of its population, which makes it the leading immigration country in the Southern African region. Most of those migrating to South Africa are from African countries. With its economic status, South Africa also attracts foreign investors, hence there is a smaller but growing number of migrants from Europe and Asia. Yet one difference, according to the United Nations International Migration Report, is their ranking in recent net migration rates. In South Africa it is positive (+2.42 net migrants per 1000 population/year), while in Latvia the rate is negative (-6.26). There are more people entering South Africa than are leaving, contrary to Latvia where few people are coming into the country and many are leaving (Gearon, 2015).

Although emigration is a more important issue than immigration for Latvia, both countries have been directly affected by recent global migration trends. The European Union migrant crisis following the global political destabilization in 2014 and 2015 has also affected Latvia, with the Latvian-Russian border being one of the main gateways into Europe, mainly for migrants from the Middle East. Therefore, the country has recently been asked by the EU to participate in resettlement of asylum seekers, meaning it would need to settle and integrate a significant number of these refugees. This situation has highlighted the weakness or lack of migrant integration policies in Latvia. It also revealed a high level of xenophobia in Latvia. Surveys show that there is massive popular resistance to non-European immigration in all ex-Communist countries of Europe, while people in Western Europe are ambivalent (Tausch, 2016). The result is that in part because of resistance from Eastern European countries, EU immigration policy has become much more restrictive since 2015 (Park, 2015, pp. 4-5).

The International Organisation on Migration (IOM) survey (2005) revealed another aspect of recent global migration. It is expected that labor supply world-wide will grow by 39% during the decade following 2020. The Labour Market Review gives characteristics of migration to South Africa. It refers to the International Labour Organisation (1998) stating "cross-border flows" have been on the rise in recent decades. Traditional movement from South to North is increasing, along with international migration within the developing world. Current migration patterns are closely linked with features of globalization. They are driven by a persistently large income gap between the rich and poor parts of the world, which spurs people to seek economic opportunities elsewhere. These factors, combined with aging populations in virtually all developed countries,

mean migration is likely to continue to increase (Maja & Nakanyane, 2007). It can be concluded that the major cause for international migration is the gap between rich and poor, reinforced by the aging of populations in the rich countries as a result of medical advances and low fertility.

The statistics on labor migration in South Africa show that there is low demand for additional labor due to the young population and high level of unemployment. The unemployment rate in South Africa currently stands at 26.6% (Fransman & Yu, 2018). In marked contrast, the population of Latvia is ageing and there is a high demand for additional labor. The unemployment rate in Latvia stands at 7.4%. Despite the low level of unemployment in Latvia compared to South Africa there is more emigration from Latvia than South Africa, hence demand for labor is higher in Latvia than in South Africa. In the European Union (including Latvia) and South Africa, employers have listed skilled trades, engineers, sales representatives, technicians and management/executives as the most difficult positions to fill (Malavolta, 2014, p. 12). Regulation of international labor migration is perceived as a tool to attract highly skilled workers while making immigration difficult for those with low or no formal skills.

Despite the economic potential of migration, policy documents and reports issued by international organizations including United Nations (UN), International Labour Organisation (ILO), International Organisation for Migration (IOM) and European Union (EU) regarding integration and immigration reveal that any immigrant arriving in Latvia or South Africa would likely face legal, economic and social challenges (Brewer, 1999; Kovalenko et al., 2010). International labor migrants in Latvia have limited access to social security and healthcare schemes. Independent organizations both in Latvia and in South Africa have warned against xenophobia and the resulting risks that migrants could face at a social level (Migrant Integration Policy Index, 2011, pp. 26-28, 34-40).

The paper seeks to evaluate existing policies of labor immigration and social integration, as well as offer a critical analysis of existing Latvian and South African policies of integration. Comparison of these policies and the experiences of both countries can provide lessons about how to ensure the sustainable integration of labor migrants. It is important to note that this research focuses on permanent residents, because this is a social group that needs to be integrated into society. However, it should be kept in mind that social inclusion is important for temporary residents and contract workers as well.

Methods

The conclusions of this paper will be based on the analysis of secondary and primary sources that provide statistical information on migration such as

employment and fertility rates. Secondary sources already contain generalization, analysis, synthesis, interpretation, or evaluation of the original information (Bowen, 2009). Information gathered from secondary sources will provide subjective analysis and interpretation of those who conducted studies in the field and those who surveyed the primary literature. Secondary sources will give us as researchers a critical perspective and allow us to profoundly reflect on the results emanating from these studies. This research method is economical and it bypasses the need for collection of field data (Ellis & Ellis, 1994). Policy documents and international reports that are used in this research operate with a large quantity of already collected information, covering many detailed topics, concrete time intervals and specific countries.

This paper focuses on labor migrants in Latvia and South Africa and uncovers problems and patterns of integration policies on both national and regional levels. It includes the analysis of international reports related to regional international migration and the risks that immigrants face in the host country legally, economically and socially. Other sources are national documents which can be considered to be primary sources, for example the Labour Act of South Africa and Immigration Law of Latvia, as well as the Constitution of South Africa and Constitution of Latvia, besides other legal documents.

When documents of this kind are analyzed in sociological research, the focus is principally on the exact information they contain. In addition, they can be analyzed by techniques that can range from simple content analysis to conclusions obtained by discourse analysis (Prior, 2002). In our case, the terms used in legal documents and their context could reveal a country's prevailing political attitude towards immigration and integration of labor migrants. A critical perspective on these attitudes can help to clarify what should be improved to ensure a sustainable integration of labor migrants.

This research is interdisciplinary, mostly involving sociological questions but with strong emphasis on the legal system. Legal theory is relevant as it pertains to the application of legal norms, employing grammatical, systemic, historical and teleological methods as well as international and national principles of human rights (Ellis & Ellis, 1994). This would result in systematic conclusions regarding the applicability of laws and policies, and the realities concerning immigration and integration of international labor migrants and how legal norms that govern labor migration do or do not uphold fundamental human rights in both South Africa and Latvia.

Information contained in the aforementioned literature makes it possible to approach questions of immigration history and recent labor immigration statistics

in South Africa and Latvia and to investigate existing policies of integration in those countries on this background.

Integration of International Labor Migrants

South Africa and Latvia both have experienced rapid political, economic, legal and social changes in recent decades. Both countries had to stabilize their new democracies, and in both the measures taken on migration have not always been internationally accepted. Some of their policies and laws have been criticized by international organizations and other countries. The following section focuses on the historical milestones of South African and Latvian immigration and migrant integration in recent years. This gives a historical perspective on the evolution of the social, economic and political environment for integration of labor migrants in both countries.

South Africa

Immigration during the 1990s

Legal, social and economic aspects of immigration in South Africa have been widely covered by the academic literature. Kevin Tessier (1995) addresses the historical perspective of South Africa's initial challenges regarding development of immigration policy in the new South Africa. The author describes South Africa's immigration policy in the early nineties as being "… in a state of flux. South Africa's borders, once heavily guarded by government troops fighting African National Congress guerrillas, have proven to be an ineffective barrier to the recent surge in illegal immigrants and refugees entering the country." (Tessier, 1995:257). Back then Tessier emphasized two aspects of illegal migration that are similar to today's migration to the European Union — the inability of government to guard the borders and the desire of policy makers to reduce numbers of migrants by sanctions against migrants (Tessier, 1995:257).

The government had described the aspects of international law dealing with the amount of rights that an immigrant should possess. In 2007, the Department of Labour of South Africa issued a Labour Market Review contributed by Botshabelo Maja and Sabata Nakanyane. The authors took a historical perspective on this legal issue. The report reveals that prior to 1994, South Africa did not recognize the UN and OAU Refugee Conventions. The passage of South Africa's first-ever refugee legislation in 1998 establishing a new refugee determination system was therefore a landmark event. The Act did not come into force until 2000. Prior to the promulgation of the Refugee Act, asylum seekers

and refugees had been subject to the Aliens Control Act (ACA) (Maja & Nakanyane, 2007).

Hart (1996) states that of the many problems facing South Africa, perhaps one of the most important is that of the illegal alien. The author examines the scope, issues and policy implications of the illegal alien problem in the early nineties, identifies and profiles different geographical streams of immigration, and reviews official policy responses. The pressures for action to be taken against the rising numbers of "illegal aliens" in South Africa are discussed. In particular, the costs of illegal aliens capturing scarce resources and employment opportunities are set against other pressing demands encapsulated in the Reconstruction and Development Programme. It can be concluded that the necessity for migration arises from host countries' economic interests, but in that era, only few writers noticed the benefits of migration.

Xenophobia

A study was conducted by the Human Sciences Research Council (2018) among young South Africans on the reasons people attack foreigners living in South Africa. This study revealed South Africans blame foreigners for many of the problems they face. The results also revealed that foreigners are perceived as competition on the labor market. The other main economic reasons identified by the general public for anti-immigrant violence were: (i) business practices of foreign-owned shops and small business that are perceived as unfair; and (ii) immigrants use up resources such as housing (Human Sciences Research Council, 2018:1).

The second cause of anti-immigrant attitudes and violence were criminal activities of international migrants. For instance, foreigners were perceived to be involved in illegal drug trafficking (Human Sciences Research Council, 2018:2). The author concluded that it is apparent that the majority of reasons provided by the general population concern alleged harmful conduct of international migrants. However, there is no evidence to support the belief that South Africa's international migrant community is a significant cause of crime or unemployment in the country (Human Sciences Research Council, 2018:3).

Crush and McDonald (2005) stressed that xenophobia and hostility to migrants were common in the region, and in some countries including South Africa could involve physical attacks on non-nationals. A Southern African regional study suggests that nationals of South Africa are particularly intolerant of non-nationals, and especially African non-nationals. These attitudes were reflected in the media and often in government policies and the rhetoric of politicians (Crush & McDonald, 2005). Crush and Tawodzera (2014) also

expressed that high levels of xenophobia are of concern not only because they make individual migrants' lives uncomfortable. Xenophobia allows the exclusion of non-nationals from vital services that they may be entitled to, for instance health care and education, and further increases inequalities by marginalizing and excluding vulnerable communities — even for non-nationals who are in the country legally. Furthermore, even when the regulatory regime looks relatively protective of immigrants, refugees and asylum seekers, most governments (including wealthier countries like South Africa) lack the resources to effectively enforce legislation. More needs to be known about the exclusion of migrants, both adults and children, from services to which they may be entitled. Combined with research on xenophobia, this could assist in curriculum development for schools and training programs that could be used to educate the public and service providers on the rights and entitlements of different categories of migrants. Taking into consideration Crush's perspective on this subject, it must be stressed that immigrants' experience of xenophobia can be viewed not only in the social context, but also in the personal context (Crush & McDonald, 2005).

In South Africa, over 60 migrants were killed and thousands displaced in xenophobic violence in May 2008. Earlier that year, politicians and traditional leaders had made insensitive and often incendiary comments about foreign nationals, sparking another wave of lootings, killings, and displacement (Wellman & Landau, 2015). This article reveals that xenophobia is not limited to negative social attitudes towards immigrants, but can endanger the lives of immigrants and cause other crimes against them. I would like to stress that in case of such crimes, when aggravating and attenuating circumstances are considered, acknowledging xenophobia as an unacceptable social paradigm is vital. Wellman and Landau (2015) also expressed the view that South Africa's experience offers an example of what happens when states ignore the complex realities of migration by mixing progressive refugee policy with exclusionary immigration practices.

Policy changes since the 1990s

Another author who addressed the negative attitudes towards Immigrants was Brewer (1999) in her article *The Royal African Society*. The article is based on the critique of the Aliens Control Act of 1991. By this Act, immigration authorities were granted immense powers allowing detention without warrant, confiscation of property, and deportation of non-registered migrants. The article brings the international conventions into the equation. It stresses that under the Act, refugees were considered prohibited persons and there was no specific legislation for accepting refugees in South Africa and no reliance on international instruments and international customary law. In 2000, asylum seekers (people

waiting for their claims for refugee status to be decided) gained the right to work and study. However, some struggle to find work because employers do not recognize their refugee and asylum seeker papers. Refugees are now provided with smart ID cards and special refugee ID books (Maja & Nakanyane, 2007). It can be noted that the repeal of ACA has given migrants arriving in South Africa fundamental rights to work and study in the country. This improvement from the previously existing policies and laws during the nineties made the immigration policies of South Africa more harmonized to international law.

The new Immigration Act of 2002 (Act 13) replaced the ACA and promises greater ease of admission. The Immigration Amendment Act (IAA) (Act 19) amended the Immigration Act in 2004 (Sinclair, 1998). I would like to stress that the replacement of ACA with IAA shows how equality towards people can be implemented by unifying the law so as to apply not only to every citizen but to every person who is willing to come to the country as a labor migrant as well.

Vusumzi Duma (2002) addressed three different aspects of immigration to South Africa in his article: first, the changing charter of cross-border migration to South Africa; second, the value of the conceptual approach of transnationalism as an analytical tool to understand recent migration; and, third, the reconfiguration and emergence of new migrant spaces in South Africa.

Modi (2003) reviewed migration to South Africa focusing on natives' perception of migrants. He stressed the threat of xenophobia and limitations of existing immigration policies. He addressed the "threat" perception that is based on the fear of excessive migration, provided by inaccurate statistics that have fuelled xenophobic attitudes in society leading to violence against immigrants. This article shows xenophobia levels in South Africa to be the highest recorded anywhere in the world, based on a survey that recorded that 45 percent of South Africans favored strict limits on migrants. He also perceived immigration as a regional problem in contrast to the usual national perspective.

Despite the new migration vision that takes cognizance of the Preamble to the new Constitution: "South Africa belongs to all who live in it, united in our diversity" (Republic of South Africa [RSA] 1996a: 1), the policies on migration and their implementation point in opposite directions. Furthermore, despite the talk of diversity, inclusivity, and 'Afritude', official attitudes to immigration have been slow to change (Pugh, 2014). This is evident from public sentiments including declarations of public officials which are increasingly characterized by powerful xenophobic and exclusionary discourses centered on migration from the rest of Africa. Among the instances of xenophobic statements by public officers that made it into the national news is the following, recorded in the minutes by the Parliamentary Monitoring Group:

"She said upon carrying out the oversight visit in Maitland, she wondered whether there was anyone left in Somalia. The Department was dealing with huge numbers of asylum seekers on a daily basis and the question had to be asked how long the country would continue to take in those people. The economy of the country might suffer from the continued intake. She commented that human rights laws and the Constitution were used as an excuse for asylum seekers to enter the country. There was unemployment and poverty in South Africa and that was a big enough burden. She said that South Africans had not enjoyed their freedom since 1994; the country had problems of its own without having to deal with migrants". (Pugh, 2014:232)

This language of exclusion on migrants in South Africa reveals an intense effort to control and prevent both legal and undocumented immigration. Legal changes and new regulation are designed to build higher and stronger hurdles to migration. South Africa introduced new regulations of applying for permanent and temporary residence in order to better control the number of migrants which it allows into the country. This is evidenced by restrictive policies which have been accompanied by an unfriendly attitude to migrants, particularly those from the neighboring countries and the rest of Africa (Sinatti, 2015).

The Labour Market Review also gives characteristics of migration to South Africa. It refers to the International Labour Organization, stating "cross-border flows" have been on the rise in recent decades. Added to traditional movements from South to North is growing international migration within the developing world. Current migration patterns are closely linked with features of globalization. A widening income gap between the rich and poor parts of the world also spurs people to seek economic opportunities elsewhere. South Africa is a destination of choice for African migrants who seek protection or escape from economic hardship. Some estimates indicate that 90% of migrants in South Africa are Africans. Immigration policies and practices that are designed to curb migration into South Africa from other parts of the African continent have a significant impact on millions of people. While South Africa insists upon its own commitment to Afrocentric ideals, current policies are inconsistent with this. On the one hand, recent policy documents and developments express a clear intent to strategically harness migration's ability to achieve national and regional goals (Crush & Tawodzera, 2014; Sinatti, 2015). On the other hand, South Africa is prioritizing restrictive measures that disproportionately and negatively impact migrants from Africa and in particular from neighboring countries whose economic survival depends partly on South Africa.

It is worth noting that most migrants from the Southern Africa region are low-skilled and seek temporary work. This results in difficulty obtaining a legal visa before leaving the home country. As such, many enter or stay in South Africa irregularly (Mbiyozo, 2018). Among its progressive measures, the South African government through its Department of Home Affairs has promised to implement visa for regional neighbors. These plans, however, have been marked by delays and bureaucratic bottlenecks which still make it difficult for people from neighboring countries to migrate to South Africa. This means that the department's insistence on moving forward with expensive and ineffective measures to restrict African migrants while delaying the implementation of progressive measures reveals an underlying institutionalized xenophobia (Mbiyozo, 2018).

Wellman and Landau (2015) addressed critically the recent immigration situation in South Africa. In their article *South Africa's tough lessons on migrant policy* the authors illuminate the consequences of accommodating one narrow category of migrants, those designated as political refugees, while attempting to keep out economic migrants, those without well-founded fears of violence or persecution.

The authors point out that besides a limited number of visas for professionals, South Africa maintains strict limits on almost all other forms of immigration. Therefore, if you are an unskilled economic migrant — or even a highly skilled one without the money and time to negotiate a complicated bureaucracy — it is nearly impossible to live legally in South Africa. The situation is radically different, though, if you hold an asylum seeker permit, which enables you to live almost as if you were a citizen while the state decides if you qualify as a refugee, which can take years. The asylum entryway has subsequently become clogged with hundreds of thousands of people for whom it was not intended, sidelining many of those who most desperately need protection. Moreover, the premium placed on refugee status and the resulting backlogs have bred corruption within and outside government offices, produced a market for fake documents, and delegitimized the asylum system (Wellman & Landau, 2015).

Fatima Khan (2007) examined existing laws affecting migrants, including the Immigration Act of 2002 and Refugees Act of 1998. This paper also includes perspectives on immigration in terms of international law. Khan concluded that in terms of its immigration policy, South Africa has noticeably prioritized and the rule is clear: any immigrant coming to South Africa for work will have to show that it is not in an occupation in which there are already sufficient people available to meet the country's needs. This type of immigration is encouraged by South Africa but accounts for only a small number of migrants entering South Africa. If you can

contribute to the economy and if you have exceptional skills, you are most welcome in South Africa. While South Africa is therefore willing to take in skilled and professional people, it is clearly disinterested in unskilled workers. It can be stated that the Immigration Act promotes a highly restrictive immigration policy. We would like to stress that there are different attitudes towards labor migrants who are highly skilled, those groups being welcome and facing minimal legal requirements, while legal immigration of unskilled workers has been made impossible.

The new regulations stipulate that applications for work permits must be made from outside South Africa. This prevents people from using visitor's visas to look for work. Applicants also had to start paying huge non-refundable fees for applications for permanent residence and for temporary residence permits (Mbiyozo, 2018). South Africa's new regulations on migrants also state that the person who wants to renew her/his previous visa will provide further reasons according to a notice published by the Immigration Task Team. This delays the application and prevents a quick response from Home Affairs until the existing visa is expired. If the application has not been finalized, it will be declared as "undesirable" (Da Costa & Ertner, 2018). This paper further clarifies that a person who leaves South Africa after his or her visa has expired will no longer be just subject to a fine but will instead be declared as 'undesirable' under §27(3) of the new Immigration Regulations and is thereafter prevented from re-entering the country for a period of between 12 months and five years. This regulation also applies to those persons who have a constitutional right to stay in South Africa, i.e. to stay with their children or spouse, whose temporary visa has expired while the application for Permanent Residence has not been finalized**.**

Mbiyozo (2018) indicated that this new regulation has been made to reduce numbers of people entering the country, but it is not a good way to address the issue of African migrant and refugee populations already present in South Africa. Furthermore, preventing people from entering South Africa by implementing harsh policies and limiting their rights in order to prevent future arrivals has a negative impact by reinforcing the world-wide trend of using cruelty as a restrictive measure.

Khan (2007) expressed similar views based on her experience as a refugee lawyer after observing many obstacles that refugees face in South Africa. Although her research focuses on refugees, her conclusions are relevant to migration in general. Firstly, she argues that the South African government has failed to properly implement the law. Secondly, even though refugees are granted these rights, most government services are unaware of refugees and their rights or are simply dismissive thereof. Thirdly, the South African population's

xenophobic attitude to refugees is a major obstacle to refugees' integration into society. This opinion confirms that migrants arriving in South Africa face legal, social and individual challenges that should be acknowledged by policy makers. The South African government is unable to implement the law fully, international migrants are not informed about their statutory rights, and the migrant faces xenophobia and negative attitudes towards integration.

Khan (2007) further stressed that South Africa's very recent inclination to provide a special temporary residence permit to Zimbabweans (one that will legalize their stay for a short period of time and perhaps allow them to work in the interim) will hopefully fill the gap in South Africa's law regarding legal status of people arriving in the country to work. Such a permit would not only promote the legal entry of Zimbabweans into South Africa at a port of entry, but serve a much greater purpose — formulating a policy for socio-economic migrants who are facing a humanitarian crisis. This will ensure that refugee protection is not being eroded. Refugee protection and support for those vulnerable to persecution should remain paramount. It can be stressed that establishment of temporary residence permits for migrants from countries that are affected by humanitarian crisis can stabilize humanitarian conditions in the Southern African region (Khan, 2007; Ngomane, 2010).

In Ngomane's survey, only three out of 200 respondents fled Zimbabwe due to political persecutions and none of them applied for asylum. Ngomane concludes that this may be an indication that there is no actual war situation in Zimbabwe. According to the respondents from the Home Affairs Department there is no war in Zimbabwe for any Zimbabwean to qualify for asylum status. This also disputes statements that the high illegal migration into South Africa by Zimbabweans is due to them being denied asylum or refugee status. Most illegal immigrants in South Africa are looking for jobs. The case study of Zimbabwean economic migration reveals that a labor migrant should often try to apply for a residence permit as a refugee even when there is no threat to life of self or family, because South African laws are less restrictive for refugees than for labor migrants.

Ngomane gives an interesting perspective that social networks in the form of family and friends play a role in illegal migration because they loan illegal immigrants money for travelling, pay bribes at the border, and provide shelter, food, and sometimes even secure jobs for illegal immigrants. "Those who did not have any contacts in South Africa had confidence that other Zimbabweans will help them with accommodation and direct them to where they will find jobs, once they arrive in the country" (Ngomane, 2010:14). This shows that social networks

in the form of family and friends play a fundamental role for migrants to feel a sense of security when arriving in South Africa.

Mbiyozo (2018) indicated that the new regulations to control immigrants in South Africa have been made to reduce numbers of people entering the country, but this is not a good way to address the issue of African migrant and refugee populations in South Africa. In summary, authors like Tevera and Zinyama (2002) and Ngomane (2010) point out that the mechanisms in place in South Africa to control illegal migration are ineffective because the country relies solely on deportation and strict visa requirements. These restrictive migration controls do not accomplish their goals but expose immigrants to human rights abuses and create a situation where most labor migrants come to South Africa illegally (Ngomane, 2010).

The most valuable conclusions of a paper from Simbanda (2008) relate to the labor market effect of immigration, looking at its impact on natives' employment rates and incomes. Simbanda's district-level analysis suggests that, while the employment rates of natives have been adversely affected by the arrival of foreign workers, this is not true for wages. Simbanda expresses that the fall of the Apartheid regime has created a quasi-experimental setting showing that what has been estimated is not a simple correlation but is rather capturing the causal effect of immigration. It can be underlined that there has been no economic proof that immigration of labor migrants affects the receiving society negatively, so it can be considered a myth that often causes negative attitudes towards migrants and even forms of xenophobia. Chamunorwa and Mlambo (2014) suggest that "Migration affects both sending and receiving countries due to the brain drain and pressure on resources respectively. African countries need to adopt a unified migration policy which will reduce migration flows out of their home countries" (Chamunorwa & Mlambo, 2014:2631). This opinion notes the necessity for neighboring countries in the region to collaborate.

The contributions of civil society organizations to issues of labor migration in South Africa mainly focus on the arena of advocacy and service provision for labor migrants, refugees, and asylum seekers and the possibility to offer an effective political challenge to the exclusionary migration policies and practices of the state (Pugh, 2014). One of the key challenges expressed by civil society organizations, and recognized by some policy-makers, is advocating for what is arguably a socially and politically unpopular population within a national discourse and climate that largely positions migrants, refugees, and asylum seekers as a threat or zero-sum competition to the economic and social well-being of South African citizens (Pugh, 2014). We would like to note that international law should

be considered to examine if labor migrants should enjoy all the rights that natives do, and if not, to what extent differences could legitimately exist.

Latvia

This section presents the integration of international labor migrants in Latvia. It starts with the integration of labor migrants, mainly Russians, who arrived in the Soviet era, and follows with those who came after Latvian independence in 1991. Latvia is a very special case because major issues arise not from ongoing migration, but from labor migration that took place in the Soviet past. In this country, the challenge is to integrate labor migrants who settled in the country more than 30 years ago culturally, linguistically, and politically. It is important to make clear that today, these Russian-speaking Soviet-time labor migrants and their descendants are considered minorities rather than migrants. Unlike South Africa, which is a large multicultural country, Latvia is a small nation state with a unique language and history, and preserving the national language and culture is a priority in Latvia. Therefore, the multiculturalism of South Africa and of many Western countries is not considered an option in Latvian politics. It is worth stating that in the post-Communist countries of Eastern Europe (Poland and Hungary being prime examples), politics today tends to be nationalist despite integration into the European Union.

During the Soviet era

This section explains the status of labor migrants who arrived in Latvia during the Soviet regime – those who did not inherit citizenship from lawful ancestors born in the Latvian Republic 1918 – 1945, mainly those of Russian descent who received non-citizen passports and had to undergo a naturalization procedure in order to obtain citizenship. During the era of Soviet occupation (1945-1991), the country was an important destination for labor migrants from other Soviet republics. Due to both free and centrally managed migration of population during the Soviet regime, Latvia became a host country for over half a million immigrants. In the late 50s, the proportion of labor migrants exceeded 50% in some of the largest towns of Latvia (Office of Citizenship and Migration Affairs, 1991). It can be concluded that during the Soviet regime, Latvia experienced asymmetric migration flows. During that time there were no integration policies implemented, because of the aim of the Soviet regime to impose domination of Russian language and culture on the Baltic republics (Latvia, Lithuania and Estonia). Immigration, combined with oppression of freedom of speech and other fundamental freedoms, was just one tool to provide it.

Regulation of migration started only after restoration of Latvia's national independence. A state institution was required for tackling migration matters. Therefore, on 19 April 1991, the Department of Migration Affairs was established by decision No. 108 of the Republic of Latvia Cabinet of Ministers. The first acts to regulate migration were drafted and adopted, and people were employed to develop and implement migration policy (Office of Citizenship and Migration Affairs, 1991). Although the government's intention to create legal frames for immigration to Latvia after the heritage of Soviet mass immigration marked an important turning point, this paper will eventually conclude that it mostly involved legal measures distant from social reality. The reality is that Latvia is a home country for two unintegrated linguistic, cultural and social groups — Latvians, and Russian-speaking ethnic groups (Russians, Ukrainians and Belarussians).

After World War II only small numbers of Jews and Germans remained in Latvia, but following a massive immigration of Russians, Ukrainians and Belarussians, Latvians became almost a minority. In 1989, the proportion of Latvians had decreased to only 52% from 75.5% in 1935 (Office of Citizenship and Migration Affairs, 1991). The main challenges after gaining independence from the Soviet Union were to protect Latvian language and culture and to revive civic democracy traditions, all these having been widely suppressed and distorted during the Soviet regime. Authors Kielyte and Kancs (2002) acknowledge the complicated history of migration to the Baltic states. They address the threat by East-to-West migration to the Latvian labor market and advise the country's policy makers to aim for modern migration laws to cope with new challenges of international migration. In self-evaluation of immigration policies, the Latvian foreign ministry has noted:

"Latvia is dealing successfully with the legacy of the Soviet era within a democratic framework, and with due respect for the rule of law, human rights and international practice. The Government has been implementing a consistent policy and unified approach in the area of society integration and promoting naturalization. All preconditions for a successful naturalization process have been created. Furthermore, the naturalization process in Latvia is amongst the most liberal in Europe" (Ministry of Foreign Relations, 2015:12).

The ministry adds:

"The Latvian language is the only official language in Latvia, which is the only country in the world where the Latvian language can develop and fulfil its functions. Therefore, consistent implementation

of reasonable language policy principles is essential for the maintenance of the language. With assistance from the Government of Latvia and international sponsors, the Latvian Language Learning Programme offers free of charge courses for people of various professional backgrounds who need the language in the performance of their duties, for instance, police officers, teachers, local authority staff, medical personnel, as well as the parents of national minority pupils. More than 82,000 persons have attended the Latvian language courses as part of the Latvian Language Learning Programme. In addition, Latvian language courses are also organized, on a large scale, by the Society Integration Fund and the National Employment Agency" (Ministry of Foreign Relations, 2015: 14*).*

Although the paper agrees that the integration process in Latvia has a unique character because of the country's history, which arguably includes the necessity to provide Latvian language instruction and preservation of culture, it should be stressed as well that there are critics to Latvian integration and immigration policies. The Russian Federation, the international lawful successor of the Soviet Union, as well as several authors have criticized citizenship policy embodied by the 1995 Law on the Status of Former USSR Citizens Who Do Not Have the Citizenship of Latvia or of Any Other State. Kochenov and Dimitrovs (1995) have expressed that:

"Non-citizenship of Latvia" verges on a nationality without citizenship and political participation. To the bearers it brings a large array of rights traditionally associated with citizenship, including the unconditional right to enter Latvian territory, to remain, and to build a life there: work, non-discrimination and permanent residence are all included in the package. It definitely does not imply statelessness in the sense of international law, amounting, all rights and obligations associated therewith considered, to a specific class of a durable connection with Latvia, even if the highest courts of the country are careful not to use the term "nationality" in this context".

It cannot be ignored that Soviet oppression had resulted in tension between ethnic and linguistic groups in Latvia. In order to grant the status of Latvian language and culture, the measures taken by the government in the 1990s have been both acclaimed and criticized by groups in Latvian society and by international organizations.

The main problem that Kochenov and Dimitrovs stress is the lack of European Union citizenship for Latvian non-citizens. The proposed solution

included the extension of EU citizenship to the holders of this status. It is believed that this process will help create a conducive environment toward cohesion for an ethnically divided society. It is demonstrated that such an extension is legally feasible and is in line with the doctrine of continuity on which the statehood of the Latvian Republic rests, implying virtually no economic or political internal cost (Kochenov & Dimitrovs, 1995). In this paper, the viewpoint is that every non-citizen who understands the official language of Latvia can carry out administrative and civic duties of a citizen, and that everyone who in addition shows loyalty to civil society of Latvia should be able to obtain citizenship. It can be agreed that granting EU citizenship for non-citizens of Latvia would not cause any political or economic costs (Kochenov & Dimitrovs, 1995).

We would like to point out the substantiality of civic traditions which can unite a nation. It could involve traditions introduced in celebration of Independence Day of Latvia on 18th of November and implementing more patriotic rituals in public schools, public institutions and by subsidizing nation binding programs in public broadcasters, including those that reach both Latvian and Russian speaking communities.

Labor migrants who came after Latvian independence

Various articles and authors have offered their perspectives on immigration to Latvia in the national and international-regional context. Junlda Kielyte and Artis Kancs (2002) presented their evaluation of migration in the European Union with empirical evidence for labor mobility, historical migration and immigration patterns in the Baltic States including Latvia. Brigita Zepa has addressed the subject of international migration integration together with Evita Kļave (2010/2011). This paper reviews the history of immigration in Latvia and recent trends in cross-border migration. It also addresses emigration and identity of migrants. The article's emphasis is on the importance of social safety of migrating families (Zepa, 2014). It can be concluded that social safety is an element that could distribute loyalty and patriotism towards a united civic society.

Mangule and Akule (2014) evaluated immigration in Latvia. The paper reveals some significant aspects of recent immigration to Latvia, finding that Latvia is not the final destination of migrants, but merely a stepping stone for migration to other wealthier EU member states. It shows the main reasons for migrating to Latvia are poverty, war, and aggression towards disfavored groups in their home countries. The paper introduces rights and obligations for a migrant arriving in Latvia, especially access to the labor market. It also highlights discrimination against immigrants in terms of rights to state-funded health care and legal and social protection. It can be concluded that legal discrimination

against labor migrants is more common than social discrimination in Latvia and the government should take action to end legal injustice against immigrants. Latvia has implemented the minimal approach of elimination of discrimination. It can be concluded that Latvian laws dealing with this subject are not harmonized because they do not include clear and universal prohibitions of discrimination, including on the basis of religion or citizenship, in all spheres of life. In Latvia discrimination based on race and ethnicity is prohibited in general, but the country has failed to implement effective mechanisms for the victims of discrimination, making the legal basis the least appropriate in the region of Central Europe. Except the institutions of the EU and the Ombudsman, the government has taken no legal steps to implement equality at work (Huddelson, 2011). It can be concluded that although Latvian law clearly prohibits discrimination based on race or ethnicity, there are no laws protecting migrants from negative attitudes based on religion or citizenship. With only weak mechanisms of protection from discrimination in place, a labor migrant could likely face discrimination on arrival in Latvia.

The procedure a labor migrant should undergo to work in Latvia is revealed in a research *learning to welcome: Immigrant integration in Latvia* (Huddelson, 2011). It reveals that third-country nationals who have obtained long-term resident status of the European Community (EC) in Latvia have the right to work and change employers in their respective fields if necessary. On the other hand, a third-country national who obtained this status in another EU country must initially apply for a work permit and fulfil the same conditions that apply to those with a temporary residence permit, in order to be granted the right to work in Latvia. It can be stressed that there is no unified application policy for a third-country labor migrant who comes to work from another EU country, and it could be considered contrary to the EU fundamental right of free labor migration (Huddelson, 2011).

The research uncovers that immigrants with temporary residence permits have limited access to the labor market as they can only work for one employer in a particular position and are therefore prohibited from changing employers or positions.

> "These immigrants have to leave the country if they lose their job. If the immigrant finds another job, one still needs a new work permit, which is not quite easy to obtain: the new employer is supposed to make a vacancy advertisement for a month and if there is no qualified local candidate to fulfil a particular position, then one may invite a foreign worker. The whole process takes approximately two months to accomplish which is quite uncomfortable for the immigrant as he or

she can only stay in Latvia for not more than 45 days after the cancellation of his or her work permit. However, if the new employer submits the necessary documents on time and when the immigrant is still employed by the first employer, then it is possible for the immigrant not to leave the country. Provided the new employer can guarantee stable employment, the immigrant may receive a temporary residence permit for up to five years. Another way for an immigrant or a third country national to have access to the labour market in Latvia is to set up his or her own business and become self-employed. The immigrant can apply for the temporary residence permit either in Latvia or from a Latvian consulate abroad" (Kovalenko et al., 2010).

The aforementioned system reveals that a labor migrant has no immediate access to the labor market in Latvia. It should be examined if these restrictions are necessary considering the need for labor in the country and economic benefits that immigration could give. In practice, this means that highly qualified immigrants are likely to get a residence and work permit while unskilled laborers are unlikely to be successful. This contradicts migration policies in Latvia which promote the migration of both skilled and unskilled labor. There are many reasons to believe that the exclusion in practice of unskilled labor migrants is generally influenced by the perceptions that unskilled labor migrants are a burden to the economy and that they change the cultural landscape in the host country (Kovalenko et al., 2010). The authors conclude:

"[I]n addition to the fact that integration defines the relationships between the country and the individual immigrant, it is also a process where a tight partnership develops between different level society representatives, such as employers, labour unions, religious organisations, mass media and nongovernmental organisations. In order to create fair and effective immigrant integration policy, it is relevant to achieve the correct balance in the involvement of each partnership level, especially putting an emphasis on the active involvement and participation of immigrants themselves" (Kovalenko et al., 2010)

In addition to the integration of labor migrants who arrived in the country during the Soviet era, Latvia is facing more recent challenges. The most recent challenge arguably was the European migrant crisis, when large numbers of refugees and migrants made the journey to the European Union to seek asylum,

travelling across the Mediterranean Sea or through Southeast Europe, or the eastern border of the EU.

The European Commission has agreed to a European solidarity model for resettlement of the massive migrant flows that were caused by political instability in Middle Eastern (Syria, Iraq, Afghanistan) and North-East African countries (Eritrea, Somalia). According to the United Nations High Commissioner for Refugees, the top three nationalities of the over one million Mediterranean Sea arrivals in 2015 were Syrian (49%), Afghan (21%) and Iraqi (8%). Of the refugees and migrants arriving in Europe by sea in 2015, 58% were men, 17% women and 25% children (Bourgeais, 2016).

Initially, Latvia decided to receive 250 migrants for two years according to the EU plan. Since then, the Latvian government has agreed to resettle 2000 migrants. Although this is very little, considering that according to Eurostat, EU member states received over 1.2 million first time asylum applications in 2015, some political parties not represented in parliament organized anti-immigration protests. On 4 August 2015 around 250 activists gathered in Riga to protest against Government's decision to accept migrants. Even one of the government's coalition partners, the National Alliance Party, expressed its disapproval of this decision. Overreaction to the migrant threat was well captured in the headline of a Latvian newspaper: "250 nationalists against 250 immigrants" (Foreign Media about protest action in Latvia, 2015). This clearly illustrates that Latvian society is not prepared for immigration and it is urgent for the Latvian government to create clear integration policies before expanding migration to Latvia. It should be noted that the media tend to exaggerate migration and "play with fears of people (social insecurities, cultural preservation)", instead of reporting how tiny migration to Latvia is and what economic benefits immigration can give to the Republic.

We now focus more on the actual situation of migration in Latvia and other Central European countries that are still considered emigration rather than immigration countries. "It is obvious that the attractiveness of a given country for migrants, both their own and foreign ones, depends on the labour market situation, level of wages, and the social and political climate. A comparison of the situation of CEE countries and West European states demonstrates that the attractiveness of the former remains moderate, which does not bode well for the future. This does not mean, however, that it is impossible to improve the situation" (Duszczyk & Matuszczyk, 2014:106). The authors concluded:

"The governments of specific states should rethink their past activities regarding migration and, on the one hand, guarantee employment to young people to a greater extent than they do now, which would translate into reduction of new emigration, and on the

other hand, maintain contacts with emigrants, making sure their rights are not violated abroad, and help them find their place in society and labour market after their return; the latter would give hope for a rise in the number of returnees. These measures should be supplemented with both an immigration policy and an integration policy, with the latter being a part of the former. They should aim to redress the labour market shortages resulting from emigration and demographic processes, but without causing increased tensions between foreigners and natives. This would help avoid the mistakes of the states that received immigrants in the past and failed to cope with their integration" (Duszczyk & Matuszczyk, 2014:108).

The authors are aware that the Central and Eastern European countries, including Latvia, face a demographic crisis, with low birth rates and high emigration. This causes serious shortages of skilled (not only highly skilled) workers. We can conclude that immigration could solve demographic and labor market problems in Latvia.

Various Latvian authors, including Zaiga Krišjāne, have emphasized that immigration can improve and sustain growth of the domestic economy. The author explains, "The main benefit of liberation of migration is the involvement of extra labour force in the labour markets. This is a basic condition for the rapid development of the economy concerning the fast growth of the Latvian economy and the efforts of the Latvian government to maintain this tempo to reach average living conditions of the European Union, as well as concerning the negative birth-rate of the country" (Krišjāne, 2007:240) .

Krišjāne adds: "Overall, immigration would increase domestic consumption and tax revenues, and would increase in the country's budget. Additionally, labour migration could benefit by decreasing inflation, because the increased wages of labour immigrants would be based on greater labour productivity. Development of an effective and productive labour market could raise countries' economic competitiveness internationally" (Krišjāne, 2007:240).

However, the most important conclusion of Krišjāne (2007:240) is this: "One of the following solutions of migration is the evaluation of the causes of migration. The survey of the emigrants shows that the main cause of leaving is opportunity to gain more income. This means that the main condition to reduce emigration is the improvement of wages and conditions of work, as well as the reduction of wages and other social benefits gaps with receiving countries of labour migrants. It means political measures should be taken to contain the damage done by

Latvian emigration and demographics by making the country a place that would be attractive for immigrants as well as would-be emigrants."

Various authors, including Gonago et al. (2011), have pointed out the importance of policy and practice concerning access of recent migrants to social security and health care. These authors review the Latvian social security system and its application to migrants, as well as statistics on labor migration (numbers and countries of origin) and costs of application of social security and health care to them. They describe legal inequality of access to social security and health care, mainly for those who migrated during Soviet times. It should be noted that the social benefits of integration of labor migrants for the country would outweigh the expenses.

Brigita Zepa (2014, pp. 106-138) did an overall analysis on integration policy in Latvia evaluating theory and practice. The author's research shows integration policy patterns in Latvia, including the concept of "the nation state", definition of ethnic minorities, integration of immigrants, and multiculturalism. This paper consists of theory of public integration policies and multiculturalism, gives models of integration and acculturation, and addresses ethnic and civic identities and political aspects of integration. It also evaluates minority education reforms and public integration. Zepa notes that "there are notable differences between the Latvian and ethnic minority views on such substantial question of integration policies there exist following opinions 'The unity of Latvian society should be based on Latvian language and culture', but at the same time there are no arguments on civic values as obey to law, opposing to social injustice, fight against corruption" (Zepa, 2014:126).

The necessity to build a new civic society of the Latvian Republic based on knowledge of the national language Latvian, along with respect for civic and human rights can be noted as a key point concerning Soviet-era labor migrants. The recent pan-European migration crisis has uncovered the historically developed contradictions in the existing immigration and integration policies of Latvia and pointed out the necessity to introduce new conceptions of integration of international migrants.

Brigita Zepa (2014) stresses that civic values combined with Latvian national policies could serve as equally important tools for integration, therefore creating a value system combining ethnic and civic nationalism. According to this author the most important task of national policies regarding integration of ethnic groups should be the discovery of the principles and values that create a nation:

"It would be useful to target the political discussions that the concerns should not only be addressed towards the worries about preservation of Latvian values which could only be conducted in

Latvia, but the focus should be targeted at the civil rights and duties, political participation and social solidarity — the principles which provide the existence of sovereign and democratic country. The civic values could serve as nation-binding element, because they play equally important role for both Latvians and other ethnic groups living in Latvia. It is a responsibility of government to introduce new traditions and civic rituals that would serve as a unifying force to all members of society regardless of their ethnic belonging" (Zepa, 2014:130).

Kovalenko et al. (2010) provided a non-governmental policy evaluation of the situation of new immigrants in Latvia. It addresses the social challenges migrants face in Latvia, including access to residence permission, level of core economic and social rights and the legal instruments to provide equal treatment, and political rights. The article also addresses issues of media reporting about migrants as well as migrant community voice and its importance. It underlines that tendentious media reports about threats of immigration can create negative attitudes of locals towards labor migrants.

Approaching the current influx of migrants into Europe exclusively through the lens of a "refugee crisis" has the potential to unleash similar unintended consequences. Once migrants enter the country, they will live and work among its citizens in towns, villages, and cities. Policy needs to go beyond granting legal status to providing financial and political incentives for local leaders and move towards embracing non-nationals and their economic contributions. Destination countries should focus their efforts on creating long-term strategies to address the lived realities of mixed migration rather than grasping for short-term solutions (Wellman & Landau, 2015). This is a main criticism of both South African and Latvian immigration policies. Countries should not just create legal conditions for labor migrants arriving in the country, but also institute comprehensive policy planning that would prevent social exclusion and xenophobia towards immigrants. In this case, the South African experience is directly relevant for European Union migrant integration politics, taking into consideration social challenges that migrants in South Africa have experienced for the last decades. It can be underlined that the quantity of international migration flows to South Africa during the last decades is similar to the one the European Union has experienced since 2014.

Concluding Summary

The main criticism of both South African and Latvian immigration policies is that they focus only on the legal conditions for labor migrants arriving in the

country while sometimes failing to constitute a comprehensive policy, one that would prevent xenophobia towards immigrants and other social problems. The South African experience from massive immigration during the nineties could have lessons for European Union migrant integration policies, as the continent is experiencing a recent increase of immigration. The EU should acknowledge the difficulties that South Africa has experienced during recent years and consider this experience when taking policy measures that would ease the legal and social challenges that a migrant would face when arriving in the EU. There are different attitudes towards labor migrants who are highly skilled, those groups being welcome and facing minimal legal obstacles, while legal immigration of unskilled workers has been made impossible both in South Africa and in Latvia.

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