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AFTER years of squabbling and debate, the last component of SA’s new immigration laws took effect in early February. The intention is good — to promote economic growth by ensuring that businesses can employ needed foreigners and to increase the country’s pool of skilled human resources.

But recent regulations have decreed some professions more worthy than others. Maths and science teachers good, professors of economics bad.

The United Nations guesstimates that 175-million people live outside their country of birth. Most of these migrants come from poorer countries and are relatively skilled. This has raised concerns of a global “brain drain”: scarce skilled professionals leave their home countries, mostly in the south, to seek employment in more prosperous countries in the north.

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SA is not untouched, nor is it unusual. Several thousand professionals leave the country each year. An estimated 118000 skilled emigrants left from 1989 to 2003 (about 7% of all employed professionals).

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Historically, we have attracted even larger numbers of skilled workers from Europe and more recently other African countries. But emigration is growing and immigration has been restricted by policy and a range of socio-economic factors.

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As a result, the net inflow of migrants in the 1970s and 1980s turned into a significant net outflow in the 1990s. There is growing evidence that SA is facing a skills shortage—the supply of skilled workers coming out of the education system is inadequate to meet the demand; and wage inequality is increasing.

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People move to improve their living and working conditions. More than two thirds of skilled South Africans surveyed in 2000 indicated that they have considered emigration, evenly spread between blacks (68%) and whites (69%). Financial considerations and safety were foremost in their minds.

How can SA attract the right kind of skilled migrants and what more can be done to stem the loss of professionals from the country?

Globally, a number of strategies have been tried to counter the brain drain. Restrictive policies that try to control skilled emigration, or those that try to limit its negative effects through taxation have been largely unsuccessful.

A more promising approach is to focus on the “brain gain” to be had through attracting skilled immigrants.

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Recognising their contribution to economic development, Australia, New Zealand and Canada have sought and attracted large numbers of high-skilled migrants.

But in SA, migrants continue to be viewed as a threat to domestic jobs, and restrictive policies have hindered the immigration of skilled people.

Foreign companies often cite immigration policy as a key constraint to

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investment.

Partly in response to such criticism, but also out of constitutional necessity, government replaced the apartheid-era Aliens Control Act with a new Immigration Act. The new act provides for five types of temporary work permits. These define the hoops many foreigners must pass through before applying for permanent residency.

The first four types of work permit differ little from the previous regime and are unlikely to attract a new wave of skilled workers. Prospective migrants would first need to find an employer that is willing to invest significant time and effort convincing the home affairs department that a South African candidate could not be found for a specific and vacant position. We are told that this sometimes works, but then again, sometimes it does not. It is certainly costly and cumbersome.

The new quota work permit adds flexibility and enables prospective work seekers to enter SA without proof of secure employment. But its implementation is complex and confusing. It requires government to identify, negotiate and monitor the specific skills needs of the economy on an annual basis.

The first "national scarce and critical skills list" was published in February, and it is bizarre.

Someone in government likes building. Two-thirds of the total quota of 47600 is set aside for engineers (and related technicians). Not just any kind of engineers. The quotas differentiate between at least 14 types.

Someone in government likes rockets. Astronomers, astrophysicists, atmospheric physicists, space scientists, geophysicists and earth science technicians are in. So too are various type of aeronautical and avionic engineers (of course).

Government is not big on doctors. This despite the country's enormous loss of medical skills through emigration and the fact that 27% of all medical posts in the civil service are vacant. But 1000 permits have been set aside for biomedical engineers.

Other notable omissions include fairground operators, shape-shifters, religious gurus and trade economists (agricultural economists do make the grade). But this is beside the point.

Trying to identify specific, scarce and critical skills is an impossible task. And in a country such as SA, where managerial, professional and technical skills of any kind are in short supply and increasingly expensive, sector targeting can only be a costly and irrelevant exercise.

Why not set an absolute quota and let the labour market decide?

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