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Migration of Parents Under Family Reunification Policies

*A National Approach
to a Transnational Problem:
the Case of Switzerland*



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igration of Parents Under Family Reunification Policies

by C. Bolzman, E. Hirsch Durrett, S. Anderfuhren, M. Vuille, M. Jaggi

ABSTRACT

This paper examines the issue of family reunification of parents, *i.e.* a situation where adults living in one country bring one or both parents aged over 50, of foreign nationality and residing abroad, to live near them. The findings are based on two years of research conducted in Switzerland between 2006 and 2008. After stressing that this issue is rarely addressed in scientific literature, the article describes the research method used. There follows an analysis of the following three points: the legal framework of family reunion for parents in Switzerland, the scale of the phenomenon, and the reasons why families use family reunification. The conclusion addresses the meaning of these results in terms of the way migration policies construct the concept of family. In particular, it highlights a discrepancy between transnational intergenerational solidarity issues for migrant families and governments' national approaches to those issues.



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This article uses an interdisciplinary approach in an attempt to answer three questions related to family reunification of elders: under which conditions does Swiss legislation allow family reunification of elders? How many people migrate to Switzerland under such a provision? What are the reasons that lead migrant families to try to bring an elderly parent to their country of residence?

To gain a better understanding of the issues related to family reunification of elders, we conducted a comparative study in Switzerland between September 2006 and July 2008, based on complementary methods¹.

The study is comparative because it examines issues related to family reunification of parents and responses of social workers in two cantons of French-speaking Switzerland –Vaud and Geneva– which apply the directives on family reunification somewhat differently. One of our previous studies found that the concept of “prevention of recourse to welfare benefits” (*prévention d’assistance*) was used more often in Vaud than in Geneva to reject or delay family reunification of spouses and children (Bolzman *et al.*, 2002). In this study, we examine to what extent these differences apply to family reunification of elders, and their effects on the families concerned.

The study is also comparative because it analyses the situation of families of different national origins and with different legal statuses in Switzerland. The study tests the hypothesis that the different legal treatments of families can influence how they deal with the dependency and/or loss of autonomy of their elderly parent(s), and the modes of intervention of professionals from the social sector. Our sample includes nationals of the European Union (EU), nationals of third countries who come under the Foreigners Act, and other nationals of third countries including refugees, asylum seekers, temporary entrants as well as illegal aliens.

Several methods were used to answer the three questions investigated by this article.

The possibilities and limits of family reunification of an elderly parent in Switzerland were analysed mainly through the relevant legislation (Bilateral Agreement on Free Movement between Switzerland and the European Union, Foreigners Act, Asylum Act) and the rulings of the administrative courts in the cantons of Geneva and Vaud on 64 cases filed by families whose application for family reunification had been rejected in the early 2000s.

A secondary analysis of statistics from the population census and the central register of foreigners indicating the reasons for entry into Switzerland gave an idea of the number of people who migrate under family reunification of elders.

Semi-structured interviews (of 24 families involved in family reunification of an elderly parent, and 48 professionals from the social services for elderly people and for immigrants in the two cantons under review that were contacted by families who had brought an elderly parent to live with them in Switzerland) provided insights into the reasons that prompted the decision to reunify the family. The interviews enabled us to reconstitute the *history* of a segment –or slice– of life (Lalive d’Epinay *et al.*, 1983) of the elderly person and his/her family before that person migrated.

■ Family reunification of elders: a relatively unexplored issue

Family reunification of elders is an area that has received little attention. Few studies of elderly migrants link the issues of migration, old age, and the respective roles of family and professionals in caring for elderly people.

One type of research looks at what Claudine Attias-Donfut (2004) terms “late migration” (*migrations tardives*) and focuses on retirement migration, “which is set to increase as the population ages”. Bond (1990) finds that this type of migration will expand for other reasons too: the increase in the number of people with a prior experience of migration; the expansion of early retirement; and the increasing geographical dispersion of children. Most of this research has been conducted by geographers and demographers and mainly concerns migration by



retirees from northern to southern Europe (Law, Warnes, 1982; Bond, 1980; Casado-Díaz *et al.*, 2004) and from the northern to the southern United States (Barsby, Cox, 1975; Biafora, Longino, 1990). Greengross (1992) and Paillat (1992) find that the increase in this type of migration raises questions about the harmonisation of legislation on social protection and access to health services between different states or countries. Bolzman *et al.* (2004), as well as Ackers and Dwyer (2004) highlight the widening gap between retirees' growing mobility and the static nature of national social legislation, designed for sedentary populations that were expected to live with space and time continuity for their entire lives. Longino and Crown (1990) observe the emergence of debates between US states about who should fund care for elderly people. This type of research highlights issues related to elderly migrants' access to welfare benefits and identifies the associated conditions, modes and funding.

Another type of research examines an emerging trend, described by King and Vullnetari (2006) as "orphaned pensioners", *i.e.* elderly people who live in peripheral regions experiencing profound demographic, social and economic decline, and who have no social support due to the mass migration of young people to other regions of the country or to other countries. Those two authors observe that trend in rural areas of Albania after the mass emigration of the 1990s. According to Warnes *et al.* (2004), this trend can be the basis for subsequent family reunification of elderly parents where it is allowed by the legislation, as in the case of elderly South Koreans moving to California to be with their children. By migrating to North America, these elderly people benefit from the emotional and financial support of their children. In return, they look after the grandchildren, while the two parents work full-time. Pourat *et al.* (2000) find that elderly people are often fairly isolated in their new environment, this isolation having a detrimental effect on inter-generational relations. These studies highlight the need to analyse these migration trends by taking into account the situation in both the home country and the country of residence, and by paying special attention to transnational and inter-generational dynamics.

The most common studies on older migrants are those, also relatively recent, which examine the situation of former migrant workers now retiring or growing old in the country where they live. These studies show that, contrary to a common misconception, migration is not a temporary state that ends when migrants return to their home countries, and that, after retirement, most migrants in fact remain in the country where they spent their adult lives (Sayad, 1991; Dietzel-Papakiriakou, 1993; Bolzman, Fibbi, Vial, 1993; 2001; 2004) or travel back and forth between the two countries (Attias-Donfut, 2006; Serra-Santana, 2000; Schaeffer,

2001). Various studies conducted in Europe show that these elderly migrants are in a more precarious situation than elderly native-born, both in financial terms (Bolzman, Fibbi, Vial, 1999; Dietzel-Papakiriakou, 1997; Pitaud, 1999; Patel, 2003) and healthwise (Scheib, 1996; Toullier, Baudet, 1998; Bollini, Siem, 1995).

Based on these observations, other studies investigate the possibilities for elderly migrants to “exercise their rights”, in particular rights to welfare benefits. According to Sayad (1986), as long as migration policies consider immigrants solely in terms of their status as workers, the legitimacy of the presence of elderly foreigners in the society of residence, and therefore the legitimacy of their rights, will be problematic. Hamburger (1996) concurs: *“All the failures of immigration policy are manifest in welfare policy for elderly migrants: because they are excluded from citizenship, they are not covered by the norm of solidarity”*. These studies also stress that few elderly migrants are well informed about their rights. Mehrlander *et al.* (1996) find that in Germany, one immigrant in six does not have accurate knowledge about his/her residency and work status. Regarding entitlement to welfare benefits, Hamadache (1999) stresses the complexity of migrants’ personal and occupational experiences. They are often hampered by legislation that has not foreseen their case or restrictive interpretations of the legislation by the administration. In the case of Switzerland, a study by Chaudet *et al.* (2000) found that a significant number of social problems experienced by people of foreign nationality arise from the legislation on foreigners, which limits their rights, depending on the type of residence permit they were issued. According to other studies, some provisions of the legislation on foreigners discourage the exercise of social rights by migrants, in particular access to welfare, and force them to find private solutions to their problems (Bolzman *et al.*, 2002).

The issue of access to health and social services is another emerging area of research. Several authors have found that these services are underutilised compared with the needs of elderly migrants (Fibbi, Bolzman, Vial, 1999; Patel, 2003). This underuse can be attributed to several factors. The first is that foreigners lack information, which is often due to their poor command of the local language (Embajada, 2001) and low education level. For example, an action research project in the Netherlands revealed that migrant populations had poor knowledge of eldercare services (Nelissen, 1997). A study conducted in Basel showed that a majority of migrants are unaware of in-home care services: in the event of a loss of autonomy, they think the only alternatives are to stay at home with support from family or to enter a nursing facility (Jacobs Schmid, 2001). Other studies focus instead on local services for the elderly and their lack of knowledge of the needs and aspirations of



elderly migrants (Mertens, Scott, 1993) and lack of consideration for cultural diversity (Saldow, 1991; Jäggi, 2004). Some studies stress various deficiencies: a lack of qualified interpreters in the social and health services; a lack of training in intercultural issues among reception staff and other professionals; and a lack of a policy by management and employers to make these services more accessible to migrants (Ahmad, Atkins, 1996; Chau, Yu, 2000). A lack of collaboration between services for the elderly and services for migrants is also identified (Fibbi, Bolzman, Vial, 1999). As a result, some studies have focused on care provided by ethnic community services, especially in Anglo-Saxon countries, and considered the advantages and disadvantages of having parallel services to mainstream providers (Wanner, McDonald, 1986; Stanford, 1990). In particular, some authors have discussed the risk, in an environment of budget restrictions, of creating a two-tier system of care, with services that are more precarious financially and of lower quality for elderly people from ethnic minorities (Patel, 1990; Nelissen, 1997).

Another focus of research is relations between elderly migrants and their families, especially the support role played by the latter. Various studies highlight the intensity of exchanges and concrete forms of solidarity in migrant families, in particular among migrants from the South. Even when the children move away, exchanges of services are maintained through a kind of "long-distance closeness" (Olbermann, Dietzel-Papakyriakou, 1995; Bolzman, Fibbi, Vial, 2001). However, frequent contact does not necessarily ensure satisfactory inter-generational relations (Blechner, 1998), especially when parents' expectations of their children's role in caring for them are not met (Nelissen, 1997) or when children expect more support from their parents (Pourat *et al.*, 2000). The reciprocal expectations of elderly parents and their children are a key factor in inter-generational relations (Brubaker, 1990). All these authors emphasise the central role of daughters and daughters-in-law in caring for elderly parents (Bertens, van den Brink, 1994). Contrary to a common misconception that migrant families "look after their own" (Patel, 1990), thus relieving the burden on medico-social institutions, there is no systematic evidence that elderly migrants requiring care receive better family support than elderly native-born. A comparative study of elderly British-born people and elderly migrants from the West Indies with senile dementia did not reveal significant differences in the level of family support (Patel *et al.*, 1998). In Switzerland too, in an environment where working adults are under a lot of pressure, the children of elderly migrants turn to health and social services to take care of their parents when necessary (Bolzman, Fibbi, Vial, 2003). Other studies find that the community network of informal support is not necessarily able to meet elderly migrants' care needs either (Blechner, 1998).

Little research has been done on the transition from family or informal care of elderly migrants to institutional care. Some studies reveal wariness and strong prejudices among elderly migrants about institutions such as nursing homes (Nelissen, 1997): they worry that their religious, linguistic or cultural needs will not be adequately met and that the role of the family will be insufficiently taken into consideration (Hielen, 1996). Those indications suggest that, as in for native-born elderly people, the transition to institutions is delayed for as long as possible. A study conducted by Santos Eggimann *et al.* (1998) in canton Vaud shows that frail elderly people can continue living at home, but that this requires a substantial commitment by the family and institutional intervention on a variable scale, depending on whether the person lives alone or not and on the severity of his/her dependency. Other research shows that the move to an institution is often carried out in an emergency, precipitated by events, particularly a sudden deterioration in the elderly person's health and/or autonomy (Anchisi, Luyet, 2004; Perrin *et al.*, 2003). However, as explained in more detail below, when the elderly person is foreign, the stress experienced by families, the lack of beds in nursing homes or the difficulty of organising in-home care are compounded by financial problems, since covering the cost of care involves out-of-pocket expenses for the family.

The overview of the literature on ageing and migration above can be summarised by the following points:

- family reunification of elders is likely to increase but remains little researched;
- one of the categories most concerned by family reunification of elders, namely former migrant workers, is over-represented in precarious population groups, with all the difficulties and challenges this implies for managing the situation of an elderly parent;
- access to rights plays a fundamental role in the management of family reunification;
- elderly migrants under-utilise health and social services, but their families are not in a position to provide adequate care without assistance from professionals;
- there is very little research on the transition from family care to institutional care for elderly migrants.



■ Swiss legislation limits family reunification of elders

Family reunification of elders simply does not appear as a specific reason for migration in a whole section of Swiss legislation. Only the regulations stemming from the Agreement on Free Movement of Persons between Switzerland and the European Union (AFMP, 2002)² expressly provide for family reunification of retired parents, although various conditions restrict its application.

Since 2002, the legal framework allowing elderly people to join their families in Switzerland has been covered by three distinct legislative and regulatory frameworks. These set the conditions for reunification and involve different decision-making bodies. The standard regime for foreigners, which is intended as a general law (valid for all persons without Swiss nationality), is the Foreigners Act. In addition to this general law there are two special regimes –bilateral agreements and asylum law. In terms of the categorisation of foreigners, these regimes make an initial fundamental distinction by country of origin or provenance, namely between nationals of member states of the European Union (EU) or the European Free Trade Association (EFTA), and nationals of so-called “third” countries (*i.e.* all other countries³). Secondly, a specific category exists for people entering Switzerland to seek asylum. At the present time, that second division only introduces distinctions between third-country nationals⁴.

Broadly, therefore, there are three legal channels for three different categories of foreigners:

- first, the bilateral agreement regime for EU/EFTA nationals and permanent residents;

2 An agreement between the Swiss Confederation and the European Community and its Member States on the free movement of persons, signed on 21 June 1999, which took effect on 1 June 2002.

3 The distinction between EU/EFTA nationals and third-country nationals is relaxed in some cases where the elderly person’s country of origin and provenance differ. For example, a person with Moroccan nationality (country of origin: Morocco) may have lived legally for many years in France (country of provenance: France) before seeking to join his/her children settled in Switzerland. If the children are European or Swiss, his/her case will be examined under the legislation stemming from the AFMP, which is the most favourable to family reunification of parents.

4 The Swiss legislation on foreigners has been overhauled since the extension of the bilateral agreements to the new members of the European Union was approved, and the new Foreigners Act came into force on 1 January 2008. The revised Asylum Act also took effect on 1 January 2008.

- secondly, the regime of the general law on foreign nationals (Foreigners Act) for nationals of third countries who do not come under asylum law;
- and thirdly, the asylum regime for nationals of third countries seeking asylum.

Nationals and permanent residents of EU/EFTA member states are governed by the special regime of the Agreement on Free Movement of Persons. They have a broader right to family reunification than other foreign nationals, since the agreement expressly includes parents (Article 3, Appendix I of the AFMP). This system aims to encourage intra-European mobility and contains provisions to that end.

The agreement, as well as an article in the new Foreigners Act harmonising the rules for Swiss nationals with a foreign parent residing in the EU or EFTA with the AFMP regime, are the only pieces of legislation that consider parents as “family members” and introduce a principle of family reunification of parents with their adult children who have settled in Switzerland. However, even within that specific legal framework, various conditions restrict the entry into Switzerland of parents of European nationals residing in Switzerland. Family reunification for parents is conditional: the legislation stipulates that a person who wishes to join his/her family in Switzerland shall only be allowed to enter if he/she is effectively assisted permanently by his/her children and if that assistance can be considered necessary to his/her maintenance. Article 3 para. 2 let. b App.-I AFMP states that the parents of a European national or his/her spouse are entitled to join their children settled in Switzerland if they are financially dependent on him/her.

The provisions of the AFMP on family reunification do not apply to family members (spouse, children or parents) who are third-country nationals and not resident in a EU/EFTA member state, nor to third-country nationals only residing temporarily in a EU/EFTA member state. That provision concerns the relatives of many migrants from third countries who acquired citizenship of a EU/EFTA member state and subsequently migrated to Switzerland. That clarification, which was added soon after the AFMP came into force, no doubt became important given the strict conditions for entry into Switzerland of parents from third countries; it has been the subject of explanatory memorandums from the Federal Migration Office⁵.

⁵ Federal Office of Immigration, Integration and Emigration (IMES) –now Federal Office for Migration (ODM)– Circular on Implementation of the Agreement on Free Movement of Persons relating to Family Reunification (*Mise en œuvre de l'accord sur la libre-circulation des personnes en matière de regroupement familial*), Berne-Wabern, 16 January 2004, No. 173-001.



Persons who are not Swiss, nor nationals or permanent residents of an EU/EFTA member state, are subject to the ordinary regime of Swiss legislation on foreign nationals, embodied in the Foreigners Act. For that category of foreigners, there is simply no provision on family reunification of elders as such. Consequently, elderly third-country nationals who wish to join their adult children settled in Switzerland must go through other legal channels, intended for other types of migration, namely entry as a retired person of independent means, or apply on grounds of extreme gravity ("humanitarian" channel).

In any case, to be granted entry as a retired person of independent means, the applicant's financial assets must be considered sufficient by the competent authorities, according to strict criteria. The status of retired person of independent means is restricted to persons aged over 55 and includes a prohibition on engaging in any income-generating activity in Switzerland. Having personal ties to Switzerland is an element mentioned by the law but is not a sufficient condition for obtaining legal resident status.

Non-European retired persons of independent means who can justify sufficient income and a special connection with Switzerland, entering for the specific purpose of joining their children, are probably very few in number. The statistics do not distinguish retired persons of independent means who have settled in Switzerland for other reasons, such as to benefit from tax advantages. In any case, the often low levels of income in non-European countries, and the Swiss authorities' restrictive evaluation of sufficient assets to ensure financial independence in Switzerland for a potentially long period, put this option out of reach of the vast majority of foreign retirees whose children live in Switzerland.

Article 30 of the Foreigners Act provides for exceptional residence permits, exempting applicants from the conditions for entry of foreigners set forth in Articles 18 to 29. One of the aims of these provisions, namely "to take individual cases of extreme gravity or significant public interest into consideration", may be invoked by elderly persons in a difficult situation in their country and who have a child settled in Switzerland. To be admitted under this legislative provision, an elderly person with proven personal ties to Switzerland must demonstrate that his/her personal situation would be critical if he/she were not allowed to live in Switzerland. This means proving that the parent is in a situation of dependency and cannot continue to live in his/her current country of residence under acceptable conditions. The authorities process these applications with extreme parsimony, requiring applicants not only to prove the parent's isolation, low financial resources, or health problems, but also to demonstrate that there is no one else who can assist the person in difficulty in the area where he/she lives.

An analysis of the appeal decisions handed down by the cantonal authorities (administrative courts in canton Vaud and canton Geneva) reveals a highly restrictive interpretation of concepts such as need for care, intensity of the support provided before the application, and living conditions of children in Switzerland; of 64 cases heard between 2000 and 2007, only seven received a favourable ruling. Thus, in relation to legal redress, the two cantons show a similarly restrictive interpretation of the legislation.

Nevertheless, some of the families interviewed in our study successfully applied on “humanitarian” grounds in the first instance. Those provisions are specifically designed to handle exceptional cases – a particularly serious situation– and are not underpinned by a basic right to live together. There is no broader provision enabling entry of retirees on the grounds of important unforeseen factors, like that of Article 20 of the enabling decree on free movement of persons between Switzerland and the European Union (“when warranted by important circumstances”) in any legislation relating to non-European nationals; a personal situation of extreme gravity is therefore their only grounds for an application.

Lastly, asylum seekers, persons granted a right to enter Switzerland temporarily and statutory refugees, are able to sponsor their parents. Article 51 of the Asylum Act provides for asylum for families. The article refers primarily to spouses and minor children (para. 1). However, Article 51 para. 2 mentions the possibility of granting asylum to other “close relatives of refugees if there are special reasons for family reunification”.

Therefore, the possibility of family reunification for parents of people who have obtained the status of recognised refugee in Switzerland –or the status of long-term temporary entrant– is at least provided for in the current legislation. In that sense, the situation of officially recognised refugees appears slightly more favourable than that of non-EU/EFTA nationals settled in Switzerland who wish to sponsor their parents. Furthermore, an application for asylum can also be filed at the outset by the whole family (including parents) if the members were able to escape the conditions of persecution that prompted their exile together.

Be that as it may, given the characteristics of the asylum procedure, the length of the process, the low success rate of applications, and the harrowing conditions of cases where asylum or temporary entry are granted, family reunification of parents under the asylum procedure is probably rare. However, it should be noted that, in cases where the legislation is applied to people requiring assistance because they have no resources and are in poor health, no proof of prior support is required. In addition, in these “humanitarian” situations, it seems that access to welfare benefits is not excluded. Indeed, this type of family reunification



is not accompanied by a formal obligation of maintenance. These provisions may be slightly more "generous" because asylum seekers must already satisfy highly restrictive criteria and because they apply to families the gravity of whose situation is already largely proven.

Lastly, in all cases where the sponsoring children's financial support is explicitly required to obtain an entry permit for their parent, the children are required to sign a statement of guarantee intended to avoid any subsequent application for non-contributory welfare benefits. The nature and value of those commitments for families whose resources are often limited and may be affected by changes to the family's status and running, are central to the issue of access to welfare benefits for parents and the subject of administrative rulings and recent legal precedent. This is therefore an unstable area of law, without clear definition of the consequences of the guarantees required. Consequently, families are often unaware of the duration and scope of the financial support of their elderly parents which they have promised to provide. Professionals working in this area who could advise them are often unable to provide them with clear information. These legal and administrative uncertainties can destabilise families and adversely affect inter-generational relations, which are already complex, owing to the very issues that prompted family reunification, as described below.

■ Numbers concerned by family reunification of elders

Since it is possible to obtain entry under family reunification of elders, the migrants concerned should be recorded as such in national statistics. Foreigners granted leave to reside in Switzerland are registered in the central register of foreigners (RCE), set up in 1972 and kept by the Federal Office for Migration (ODM). The RCE indicates the reason for migration (employment, study, political asylum, medical treatment, international organisations, marriage, provision of services, etc.), chosen from the list of reasons provided for in all the legal provisions on foreigners. "Family reunification" has two subdivisions: the nationality of the family members already settled in Switzerland (sponsors), and the relationship to the person entering. Regarding the relationship, parents are not designated as such: they come under the categories "other relative" and "exceptional case". Until 2004, the RCE only distinguished three categories of relationship (spouse, child and "other relative"). In 2004, the category of "exceptional case" was introduced as a fourth subdivision of family reunification (these are family members who are granted leave to enter on so-called "humanitarian" grounds). The second major category division in the statistics distinguishes between family

reunification of Swiss nationals or foreign nationals married to Swiss nationals, and family reunification of foreign nationals. Each category includes foreigners who have entered to join a family member in Switzerland; in the former case, they are relatives of Swiss nationals, by direct filiation or marriage (e.g. a Brazilian lady who migrated to join her son who is a naturalised Swiss citizen, or an Italian man who came to join his son of Italian nationality married to a Swiss woman), while in the second case, they are relatives of foreign nationals (neither dual nationals nor married to Swiss nationals) living in Switzerland.

Although family reunification is one of the main reasons for migration to Switzerland –in 2007, it was the second reason for entry (32.3% of the total 140,000 migrants), after income-generating activities (48.4%), and ahead of study and training (10.5%)⁶– the respective proportions of the various categories of relationship are, of course, very uneven. Parents –referred to as “other relatives” and “exceptional cases”– come far behind the numbers of “spouses and registered partners” and “children”. In Switzerland, parents account for less than 1% of all relatives, and the proportions are similar for the two cantons under review.

Between 2002 and 2007, only a tiny number of people entered the cantons Geneva and Vaud under the legislation on family reunification of elders: a total of 156. The annual average is 8.5 permits granted in canton Vaud, and 17.5 in canton Geneva, which is a ratio of 1 to 2. Canton Geneva thus seems slightly more flexible than canton Vaud in granting leave to enter for older parents. In a previous study, one of the authors of this article found that the canton of Vaud was also more restrictive and formal in applying the criteria on family reunification of children and spouses (Bolzman *et al.*, 2002). That factor could also explain the differences observed between the two cantons on family reunification of elders.

Regarding the origin of the people admitted, 37 nationalities are represented, which indicates the diversity of provenances of parents who have been reunified with their families, as well as the tiny numbers from each country. The Portuguese are the most represented group, but only 28 Portuguese nationals obtained admission in six years in either canton.

These total numbers seem paltry, but it should be borne in mind that not all elderly foreigners who have joined their children in the two cantons entered under family reunification provisions. Our sociological definition of family reunification of elders (foreign nationals who have

⁶ Federal Office of Immigration, Integration and Emigration (IMES) –now Federal Office for Migration (ODM).



entered after age 50 to join an adult child or adult children settled in Switzerland) differs from the legal definition (parents authorised to settle in Switzerland under the legislation on family reunification), which is much narrower. Our interest here is not limited to persons covered by the legal category of family reunification of parents, but extends to all parents who migrated late to join their children. As mentioned above, prior to 2002, Swiss legislation did not provide at all for family reunification of parents. However, elderly parents were allowed to enter Switzerland as “retired persons of independent means”, “exceptional cases” or “statutory refugees”. Those possibilities of entry have, of course, continued to exist for elderly people since the agreements on free movement of persons between Switzerland and EU/EFTA member states came into force. They remain the only channels available to nationals from third (*i.e.* non-EU) countries. The RCE statistics give the reason for migration to Switzerland. Unfortunately, they do not indicate the age of the persons entering under each reason (“returning after a period abroad”, “general political reason”, “other”, etc.). Even if they did indicate age, it could not be assumed that all elderly people entering for those reasons are migrating to join adult children settled in Switzerland.

It is therefore impossible to know the exact number of persons concerned by family reunification of elders in the sense that interests us here. Given how hard it is for elderly people to obtain a residency permit, it is not unlikely that there are at least as many parents staying in Switzerland without a residency permit for variable lengths of time as those who migrate lawfully.

■ Reasons for family reunification of elders

Why, despite all the obstacles that the legislation creates to the entry of parents to Switzerland, do families nevertheless seek to sponsor their parents? The interviews with families confirm what transnational research has shown (Vertovec, 1999; Vats Laaroussi *et al.*, 2008), namely that migration does not destroy the ties between family members who have migrated and those who have remained in the home country. In fact, despite the distance and length of separation, close relatives maintain various types of ties, such as reciprocal visits, long-distance contact through various media (letters, telephone, Internet, cassettes, etc.), and circulation of money, goods and gifts. Thus, despite the emigration of some family members, ties and exchanges continue between close relatives. Expressions of “long-distance closeness” (Coenen-Hutter *et al.*, 1994), which may be more or less close and regular, persist between the generations across borders.

As the literature indicates (Lewis, 1990), women from both the older and the younger generations play a central role in maintaining those ties. It is not surprising, therefore, that daughters are the main actors in family reunification of elders. As other studies on inter-generational relations in families show, daughters are mainly responsible for maintaining relations with other family members. Society also instils in them a stronger sense of the filial duty to care for elderly parents (Dufey *et al.*, 2003, Gagnon, Saillant, 2001). Thus, women primarily take the initiative to convince their spouses and/or siblings of the need for reunification and organise its practical implementation. Sometimes women in the family will agree among themselves on shared care, which can even be provided transnationally.

In fact, family reunification of parents is usually only considered after a disruption that alters the delicate balance established by families over international borders. It is often an event that triggers the process by substantially changing the resources and socio-cultural identity of the elderly person or of his/her children (Lalivé d'Épinay *et al.*, 1983), or the ties that have been established between them. We define *resources* as all socio-economic, family, relationship and psychosomatic resources that characterise the *situations* or *states* of various categories of persons in terms of social position and health status at a given time in their lives (Bolzman, 1996). We define *socio-cultural identity* as the cultural aspects that an individual has internalised and constructed during the evolving process of socialisation. Socio-cultural identity enables us to give meaning to the world around us and act in, and on, that world. Socio-cultural identity gives an individual the means to identify an event, to give it meaning and value, and to respond to that event (Lalivé d'Épinay, 1991). It is thus a stable system that guides human behaviour and is the organising principle of an individual's everyday life.

Sometimes macro-social contextual events can disrupt the transnational lifestyles established by families, or open up new opportunities for inter-generational contact. When Switzerland imposed tourist visas for some countries, for example, some families applied for family reunification in order to facilitate temporary stays by parents. In one case, the new requirement, combined with the difficulty of completing the formalities (the person's place of residence was located a long way from the Swiss embassy) prompted a daughter and her spouse to sponsor their parent to enter under family reunification, even though the previous situation (temporary six-month stays in Switzerland alternating with three or four months living in Morocco) suited everyone. Another Moroccan woman, also accustomed to travelling between Morocco and Switzerland, eventually applied for family reunification for the same reason. This has not changed her lifestyle: she continues to return frequently to Morocco, alternating stays with her Swiss and Moroccan relatives; but she no



longer needs to worry about visas because she has a residency permit in Switzerland. These examples show that families had to find new ways to pursue inter-generational contacts, and family reunification represented one of the few viable alternatives. In other cases, the outbreak of inter-ethnic strife, civil war, or widespread violence in the home country prompts children to sponsor their elderly parents urgently, as was the case in former Yugoslavia. In other cases, the lifting of the “iron curtain” in Eastern Europe offered new opportunities for direct contact, including family reunification between parents who had remained in the home country, such as Romania, and their children who had moved to Switzerland. That is the case of a woman who migrated in 1982: *“Romania’s borders opened in December 1989. My father was already deceased and I have a sister who moved to France in 1990. So the situation was very difficult for my mother, who lived alone on a very small pension. Life is hard for pensioners in Romania, especially if they have no family. My sister had two children of her own, and after remarrying, had four children to look after, so she couldn’t help. So I started to look into bringing my mother here”.*

Events affecting elderly people, usually women because of their longer life expectancy, include a change in marital status or family configuration such as widowhood or, less commonly, divorce. As a result of that change, the person can find himself/herself isolated and more socially and financially vulnerable. Changes in the elderly person’s health due to illness, accident or old age can reduce his/her autonomy. The absence of relatives nearby can raise the question of the most appropriate services and place for his/her care. A Portuguese son recounted this situation: *“At first I thought the only solution was to put her in an old people’s home... But in Portugal, they’re places where people go to die... If you have money and can afford 1,600 euros a month for a nice place, fine. Otherwise, the cheapest ones cost 800 or 900 euros and they treat them... The death rate is extremely high and the staff, who are often untrained, abuse the patients... Homes are unhygienic too. So I decided to bring her here, so my brother and I can look after her... That was the only solution open to us”.*

Isolation also raises the problem of the elderly person’s economic subsistence in an uncaring environment. We met a Vietnamese refugee who had been living in China where her village neighbours cheated her out of any money her daughter sent. In some Eastern European countries, the fall of the Berlin Wall was followed by a rise in violence and crime. A Bulgarian woman described the situation there: *“The change unleashed anarchy, crime and poverty. Before our lives were... we weren’t rich, but we had security, everyone had a job, there was no competition, so there wasn’t the pressure that competition brings”.*

We also encountered cases where former migrant workers had returned to their home countries after a long period of unemployment, or to retire (early or at normal retirement age), but could not get used to life in a place that had become “foreign” to them; they wanted to return to the country where they had lived as adults and where their children and grandchildren live. That is the case of an Italian woman who, after working for 34 years in Switzerland, returned to Italy because her pension was too low to live on comfortably in Switzerland. At first, she travelled frequently between Italy and her daughter’s home. But after her health deteriorated and she was no longer able to travel by train alone, she decided to move back to Switzerland and spend her retirement near her daughter and grandchildren. It also meant returning to the city where she had spent her whole working life and had many social ties.

Migrant children also experience events that alter their social, family or financial situations. These might be changes in marital status, like divorce, separation, or, less commonly, widowhood. Changes to the family situation, such as the birth of children, can also affect the children’s household organisation. The combination of family and financial factors, such as the need for both spouses –or for single mothers– to work outside the home to earn enough income for the family can put a strain on family organisation. It is worth noting that it is hard to find suitable, affordable childcare services in Switzerland. In some cases, the precarious financial situation of the whole family can require one or more additional incomes to improve the household’s standard of living. In these various situations, we observe the emergence of needs for emotional and/or material support, as adult children rely on their elderly parents to help them for periods of varying length. For example, one mother interviewed came to Switzerland on a long-stay tourist visa in order to help her daughter who had just had a baby.

Family reunification can thus be seen as a form of regulation, *i.e.* a response developed by a family to eliminate, correct, mitigate or compensate for the effects of changes, usually experienced by the parent, but also by his/her children. This regulation is also a form of adaptation to a changing macro-social environment. There are two aspects to this regulation, which can be distinguished for analytical purposes but which are difficult to dissociate empirically. The first is a need to provide increased care or material support to one or several family members with new needs. The second is a desire to bring the different generations closer, for family relationship and affective reasons.

Regarding care or material support for the elderly person, the reunification decision is often taken after other approaches have been tried. When the elderly person’s health and welfare have deteriorated,



the children often first try to find local modes of regulation. In a previous study on Spanish and Italian nationals nearing retirement age in Switzerland, one of the authors of this paper found that some migrant women left Switzerland temporarily to take care of sick parents in the home country (Bolzman *et al.*, 1997). However, that mode of care is difficult to sustain over the long-term, for example with chronic illnesses.

Formal elder care services in most home countries are underdeveloped, unreliable or expensive (as in the case of Portugal). Many families therefore entrust care for their elderly parent to relatives, friends or neighbours, often in exchange for financial compensation. Given the difficulty for children to monitor the situation from a distance, they are concerned about the quality of care the elderly person is receiving and the risk of neglect or abuse. Several cases of misappropriation of money were reported in the interviews. For example, a Portuguese son told us that before he brought his mother to Switzerland, he paid a private home help to take care of his mother's health and look after the house: *"I sent someone 300 euros every month to take my mother to the doctor, do the shopping and a little housework. Later, when we asked a neighbour, who took care of my mother after work, she told us we were wasting our money because the person was not doing her job"*. That situation prompted the son to bring his mother to live with him. Some families come to the conclusion that the "less bad" solution is to bring their elderly parent to live with them, in order to provide better care for them. It is also a way for them to make up for deficiencies in the welfare system of their home countries.

Before taking that decision, children experience a range of emotions, including filial duty, a sense of responsibility, guilt and affection. A Romanian woman gave the following reasons for bringing her mother to live with her: *"It's natural because she's my mother, there's an emotional bond. It's also a duty –it's like the parent-child relationship except that the parents are independent. It's also a moral duty: when I was a child, she did everything for my wellbeing. It might also be cultural. But the parent-child relationship is instinctive. If she had a pension here, she would be more independent and maybe she could help me the way she used to... but now it's a question of humanity, it's deeper than culture"*.

The elderly parents are often called on to support their migrant children in a crisis situation. In one case, the doctor of a woman exhibiting major psychological problems after a difficult, violent marriage advised family reunification and provided the necessary medical certificates to convince the authorities to allow her to sponsor her mother to come and live with her. In another case, a widowed mother came to live with her son in Switzerland to help him recover from serious psychological problems. She also obtained a residency permit on the basis of a general

practitioner's letter explaining the son's genuine need and the necessity of his mother's support. In another case, a mother moved to Switzerland to live with her daughter who suffered from depression and was no longer able to take care of her children. In that case, the authorities did not grant a residency permit, but a six-month tourist visa, after a two-year wait!

Some families in a precarious socio-economic situation ask their parents for support in order to increase the household's chances of finding employment and a steady income. In these cases, inter-generational solidarity is a form of "social security" in an uncertain environment. The extended family is perceived as a resource, not as a burden, to help young people cope better with precarious living conditions. These cases were observed mainly among Latin American families without a recognised legal status in Switzerland. Mostly, mothers who are often still relatively young (in their fifties) moved to Switzerland to support their daughters and help look after children or do the housework. However, this configuration, where the first generation comes to help the second, is also found among people lawfully settled in Switzerland. Nevertheless, an analysis of rulings on residency permit applications shows that caring for grandchildren does not constitute direct grounds for obtaining a residency permit. Even when unpaid and within the family circle, caring for grandchildren is considered a potentially income-generating activity and therefore comes under the legislation pertaining to work permits.

Factors pertaining to family relationships cited by the respondents are mainly strengthening family ties and the transmission of cultural values from the home country. One of the reasons given is the importance of having grandparents nearby as role models for the grandchildren's socialisation and sense of identity in a context where the family is living outside the environment of the home country. In these cases, the elderly parent maintains the family's ties to the original culture, particularly through the transmission of the language. A Moroccan woman said: *"My mother speaks my mother tongue, so we can express ourselves more easily, because I'm still attached to my culture. It's important for my children too: there is a culture outside the home and a culture inside the home, because my mother is there... I feel like I'm at home in Morocco. We share lots of things, we speak my language, my mother tongue. When I go out, I see people and we talk about certain things in French. When I come home, we talk about Morocco, the family and holidays in my native language. It means a lot to me"*. Another important reason cited is sharing the last years of the elderly person's life with him/her. In that type of situation, it is usually the children who want reunification, even if the elderly person agrees with the move. As a woman from Ecuador with no legal status explained: *"Our main motivation was to be together. In Ecuador we were all very close. We miss each other a lot, so we decided to bring them here"*. She nevertheless added: *"My parents don't want to*



stay in Switzerland because, well, you know, the situation is tough now, but even if it gets better, I think they'll still leave. Because they can't live here. It's hard for us too, but it's even harder for our parents, isn't it? It's tough for us, but it's more complicated for our parents".

Whatever the family situation, sponsoring a parent to enter Switzerland legally involves completing long and complex administrative procedures, as the earlier sections of this article described. The process is particularly difficult for nationals of non-EU/EFTA countries. For example, a Peruvian-born woman with Swiss citizenship applied to sponsor her widowed mother who was living alone in Peru. The authorities rejected the application for family reunification on the grounds that the mother had another daughter in Peru, even though she lived 300 km away. The daughter living in Switzerland eventually managed to obtain reunification for one year. In addition to the formalities in Switzerland, including a financial guarantee, she had to travel to Peru to complete other formalities there, including applying for a Swiss visa for her mother. The whole process was time-consuming and expensive. Sometimes even European nationals abandon the idea of using legal channels to bring a parent to live with them, fearing unwieldy administrative processes and financial undertakings they will not be able to afford. Some Portuguese families have used informal ways to bring out an elderly parent. Regarding administrative requirements, we did not observe any systematic differences between the Geneva and Vaud administrations.

In all cases, family reunification of parents is both a form of regulation and a new disruption, in the sense that it changes the usual modes of functioning of the elderly person and the sponsoring family. Reunification usually takes place after a number of years of living in separate households and implies learning how to live together again, in a new socio-cultural context for the elderly person. In many cases, the parent has few social contacts outside the family and does not speak the language of the host country. If the elderly person is also in a state of functional dependency, *i.e.* physically unable to perform everyday tasks (Du Pasquier *et al.*, 1995), or loss of autonomy, *i.e.* reduced judgment or decision-making ability (volition) (Lalive d'Épinay *et al.*, 2000), the sponsoring family may find it extremely difficult to care for the elderly person alone. Furthermore, the cohabitation of several generations of adults under the same roof is no longer the norm in Western Europe. Sponsoring families often find themselves in situations that are difficult to manage and perceived as unusual by Swiss services, which may be called upon to provide support. The modes of regulation that result from family reunification are therefore complex and can cause various obstacles to arise for the actors concerned. Regulation modalities depend on the factors that prompted the reunification and on the conditions, legal and other, surrounding the reunification (Barudy, 1989; Bolzman, 1996).

■ Discussion

Family reunification of elders is hard to assess from a statistical point of view, since this category, at least in Switzerland, is left out of official classifications of reasons for migration. Thus, there is a gap between the sociological constructed as well as observed trend of elderly people migrating to join their families, and its legal definition.

The fact that family reunification of elders is relegated to the margins of official classifications is revealing of how the authorities in countries of destination construct the concept of family. In practice, family reunification is usually understood as the possibility for an adult to be joined by a spouse, or for a parent or parents to be joined by minor children. The opportunity for families to live together, a right enshrined in the European Convention on Human Rights, is therefore interpreted restrictively. In laws and in conventional agreements, family reunification of spouses and children is systematically covered by specific provisions even though it may be regulated and limited. Furthermore, the concept of protection of the family in international conventions refers in all cases to the nuclear family consisting of spouses and children.

The legislation and regulations on migration to enable people to live together are thus clearly linked to the dominant view of family structure, namely a nuclear family with one or two adult parents/breadwinners. Family members' right to enter the country is derived from the status of spouse, or the filial relationship of minor children, whom parents have a direct duty to support and raise. The provisions on family reunification enable the concretisation of that family model for people who, for various reasons, did not settle simultaneously in Switzerland.

The definition of family and the designation of the family members eligible to join their close relatives under a family reunification procedure thus reflect the cultural models of the host society. The prevailing view of the cohabiting unit assumes that living together is the norm for that specific small group of people. The obligations of support, mutual assistance and collaboration in raising children is treated by the legislation as rooted in the practices of the host society. Conversely, cohabitation of such nuclear families with their elderly parents, which has become unusual for the native-born in 21st century Swiss society, is considered optional.



Furthermore, the closer foreigners are considered geographically and culturally (such as EU nationals), the more leeway the law gives them to define the modes of inter-generational support. Indeed, Swiss legislation only explicitly defines EU elderly citizens or long-term residents as "potential" members of families living in Switzerland.

One of the objectives of immigration policy is to ensure that the entry of a foreign parent does not generate any cost to the community. The regimes are therefore designed to guarantee that the cost of any care stemming from reunification is fully incurred by migrant families. The situation of legally recognised refugees is a partial exception to that rule.

Lastly, support for reunified families facing various difficulties in relation to their ageing parents, health problems or financial problems affecting the family unit, takes place within a complex and unstable environment. The legislation is recent and legal precedent not yet established. Professionals experience difficulties when they try to inform families seeking advice of their rights, and hesitate to recommend strategies of access to benefits when their status is precarious. Communication problems with elderly migrants are frequent. Access to appropriate services is hampered by these obstacles as well as by the complexity of the situations themselves, characterised by low visibility, limited knowledge of the available services, and mutual reticence or wariness between reunified families and official services.

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