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**European Commissioner responsible for Justice,
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“The Future Development of EU Migration Policy”
Odysseus summer school (ULB)
Brussels, 3 July 2007



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Migration is one of the most visible challenges of globalisation. The number of migrants worldwide would constitute the fifth most populous country in the world. It is right therefore that migration issues should be high on the political agenda and in the EU's conscience.

EU Member States have vast experience as countries of emigration - especially the southern rim and Ireland - which can and should be mined for knowledge about how migration can be made to work for the economies of the host countries. Many EU countries, however, are still countries of emigration (even leading ones like the UK and Germany, let alone the eastern members), in addition to being destination countries. The point I am trying to make here is to dismiss the view of a Europe interested in only one side of the migration debate, even though it has become a major destination for immigrants.

Europe is aware that its citizens also migrate. The main reason is the search for better jobs. Some European Member States have special bodies responsible for providing high-quality information and advice to nationals moving abroad. I can think of three examples off the top of my head: the Irish Emigrant Advice, the General Secretariat for Greeks Abroad and the Directorate General for Italians Abroad and Migration Policies. These structures provide practical support to migrants, especially the most vulnerable, to help them to settle and adjust to life in a new country, as we all know that information is the key to enabling migrants to participate fully in a new society. Among other things, these bodies foster the maintenance of both their country's national and cultural identity in the world and the relations of their migrants with the homeland.

We must appreciate that the EU needs immigration. In spite of the recent enlargement, which has brought the total population to some 490 million, the number of people living in the EU is set to decline in the coming decades. By 2050 a third will be over 65 years of age. The need for workers in many Member States is already evident e.g. in healthcare and agriculture.

Higher net immigration alone is not the solution to ageing populations. Europe's policy-makers must make structural and other changes if they are to cope with the impact of ageing populations. This is a challenge not to be underestimated.

Our approach to migration must therefore be realistic – we must acknowledge that international migration is part and parcel of today's world. The central question for us in Europe is how to manage it effectively.

Our approach must also be comprehensive because migration is a complex phenomenon. We must support legal migration, attract the migrants we need in Europe and effectively integrate them into society.

As we tackle illegal immigration – improve border controls and prevent illegal employment in the EU -, we must also develop common admission procedures and strengthen integration policy. We must co-operate with third countries and jointly combat the root causes of migration, which are the main "push factors". To achieve this goal, we need a global approach which links migration policy to the EU's

external relations and, crucially, to its development policy.

We must be aware that immigration flows to the EU are mixed - legal, illegal and people in need of asylum. In today's world of high-speed transport and technology, traditional borders are often bypassed. Measures taken in one country will often affect others, especially within the Schengen area without internal borders. For these reasons we must work together to address migration issues as comprehensively as possible.

Europe's strategy must be multi-faceted and comprehensive. Member States' 'solidarity' vis-à-vis migration has been a recent turning-point, a success story of the last two years. We have made much progress with a comprehensive migration strategy. We have secured the necessary finances to take further action. The European Commission, endorsed by the Parliament, has allocated almost 4 billion euros to migration issues in its 2007-2013 financial programme.

Cooperation with third countries is an essential part of our strategy. Both Member States and the EU now put particular emphasis on the need for a 'global approach'.

The agenda established by the European Council for this global approach is ambitious and includes measures to increase cooperation among Member States and activities in partnership with third countries.

Africa and the Mediterranean were the first priorities. Now countries to the east of the EU have been included in this policy. The measures taken cover a wide range of areas.

We need to work much more closely with third countries and we are developing a number of new tools to do this:

- We will assist countries that are interested in putting together detailed *Migration Profiles* so as to have the relevant information on which to base practical measures.
- We will build *Cooperation Platforms* bringing together third countries, EU Member States and international organisations to ensure effective migration management.
- And we will create *Migration Support Teams* consisting of experts from EU Member States to provide assistance to third countries that ask for it.

In May this year I put forward new proposals to develop cooperation with third countries: *mobility partnerships* and ways in which *circular migration* can be encouraged.

I believe that, if there is to be progress in controlling illegal immigration and in managing migration, it needs to be done in partnership with third countries; and if we want to work with third countries, the EU needs to offer something in return that is in their interest.

The main idea of the mobility partnerships is that we would work more closely at tackling illegal migration while citizens from these countries would benefit from enhanced possibilities of mobility between their countries and the EU.

Mobility partnerships could offer a mechanism to implement a proposal I made at a Conference in Tripoli last year, which would enable the Commission to directly negotiate with third countries the national quotas set by Member States on the basis of their labour market needs. To put it more simply, Member States would continue to determine the number and type of jobs available in their labour markets but the EU would negotiate with third countries on the basis of the combined quotas. For example, we can start this new process by asking EU Member States to give Europe a percentage of their national quotas.

This ties in well with a number of EC initiatives and policies in the area of external relations, e.g. the European Neighbourhood Policy or the partnerships we are currently developing with a number of other important countries.

Within the framework of mobility partnerships, the EU could also provide better information about labour markets and offer skills and language training, as well as financial assistance in areas linked to the management of legal migration.

Such partnerships would only be offered where there is added value for the EU and only to those third

countries ready to work actively to manage migration flows more effectively, and in particular to fight illegal migration and conclude readmission agreements.

Following discussions in the Council, which was in favour of these ideas, my departments are now working with the Member States to clarify the content of such partnerships with the idea of launching a number of pilot schemes as early as next year.

The second proposal I put forward in May concerns circular migration, which is widely believed to work to the benefit of both countries of origin (by fostering transfers of skills and other resources of returning migrants) and countries of destination (by helping meet the needs of labour markets across a broad range of skill levels).

But this is a relatively new concept, which goes beyond traditional temporary migration, and it raises a number of issues. We should define quite clearly what kind of movements would be covered by this concept and what sort of circular migration the EU should be promoting.

I will be launching a debate on the opportunities and challenges of circular migration with all the relevant stakeholders in the second half of 2007, on the basis of the Communication of May 16. This should allow the Council to draw conclusions by the end of the Portuguese Presidency. Some of the main problems to be addressed, for example, are:

- How do we define circular migration?
- What sort of circular migration should the EU be promoting?
- How do we ensure effective circularity of migration? In other words, how do we combine control measures and incentives to ensure that migrants return at least temporarily to their country of origin after a period of stay in the EU?

As I said at the beginning of my presentation, the EU needs legal migration. Therefore, implementing the *Policy Plan on Legal Migration* will be a priority for the next two years.

The development of a common approach to legal migration will need to be progressive and flexible. It must match the prerogatives of individual Member States, such as their right to determine the number of third-country workers they admit.

To maintain and improve economic growth in the EU, it is essential for Europe to become a magnet for highly skilled immigrants and, at the same time, to attract high calibre students into European universities. Qualified and highly qualified migrants prefer the USA, Canada and Australia. We must work hard to make the EU an attractive destination for such people.

To do so, the EU must present a united front, rather than emphasise the different immigration policies of each Member State.

Later this year I will put forward a directive on the conditions of admission to the EU for highly-skilled workers. This may include the possibility of an EU "blue card" or other measures to enable movement between the Member States for the highly qualified.

There will also be a directive on the rights of legal immigrants in employment. This is an important priority for 2007. The aim is to put forward a common set of basic rights, in an effort to avoid disparities between Member States and protect immigrant workers from exploitation.

Legislation on the admission of seasonal workers will follow. This will give us an opportunity to put new ideas into practice for promoting circular migration, within the context of our migration and development agenda and to develop policies that do not exacerbate the brain drain from certain countries.

Legal immigration is only part of the migration story. To be comprehensive we must also tackle illegal immigration. Controlling the external borders of the EU has received a lot of attention as a result of enlargement, security issues and increasing migratory pressures.

6 000km of land and 85 000km of coastline make up the EU's external border. Daily arrivals of boats in southern Italy, in Malta and Spain in successive summers have kept this issue high on the political agenda. This is a European problem. No Member State can be left alone to manage the external border or to receive immigrants and asylum seekers.

We must never forget that when we talk about immigration, we are often talking about people who will risk everything, even their lives, to reach Europe. Spanish Immigration officials estimate that 6 000 African migrants have died or gone missing at sea trying to reach the Canary Islands. We have to tackle this desperate situation.

Member States are now working together in joint operations to protect the EU's external borders, in the Mediterranean and the Atlantic, under the coordination of the Borders Agency (FRONTEX).

We have significantly increased FRONTEX's budget for 2007. We have allocated 41 million euros in 2007, compared to 19 million euros in 2006. To prevent further tragic loss of life at sea, I have urged Member States to provide the equipment, helicopters, boats and aeroplanes that FRONTEX needs. Member States must pool their assets to ensure equipment is available, crucially at short notice, to another Member State requesting assistance. Illegal immigration does not limit itself to traditional borders, and nor must we.

I am also very pleased that the proposal for an EU regulation setting up Rapid Border Intervention Teams (RABITs) has been approved. Rabbits, border guards from one Member State temporarily posted to another Member State to help to deal with large numbers of arrivals, should be operating this summer.

An important aspect of fighting illegal immigration in the EU is preventing the illegal employment of immigrants. Work "on the black market" distorts competition and condemns immigrants to exploitation.

Many illegal migrants are able to find work in the hidden economy. I have just put forward an EC Directive designed to harmonise sanctions against employers who offer work to illegally residing third-country nationals.

I must add that, unless effective measures are taken to combat illegal immigration, the credibility of the migration policy we are working together to shape will be irreparably undermined.

Since we are so convinced of the importance of this political initiative, we are placing an obligation on Member States to ensure that at least 10% of the companies on their territory are inspected (in 2006, the inspection rate was just over 2%) so as to get some kind of a grip on the employment of illegally staying third-country nationals (Article 15 of the Directive). This is real added value at European level.

We must be clear that the EU will not tolerate illegal migration, especially when driven by smugglers and traffickers. We must channel the forces which drive people to seek work abroad into legal programmes, and work with third countries to address the root causes of migration.

Ultimately long-term action is needed to address these root causes of migration and to maximise the positive links that exist between migration and development. A comprehensive and long-term commitment from all sides is required.

As I mentioned earlier, migration flows to the EU are mixed and include people who are seeking asylum – we must ensure that we have a system in place which provides protection for those in need. The Hague Programme called on the Commission to submit the second-phase instruments of the Common European Asylum System (CEAS) to the Council and the European Parliament with a view to their adoption before the end of 2010.

Before coming forward with new proposals, I wish to launch a wide debate on how it should look. I therefore issued last month a comprehensive package on asylum, including a Green Paper that will form the basis for a wide debate on the future architecture of the Common European Asylum System.

The package includes two other documents: a proposal for a Directive extending the possibility to obtain Long-Term Residence status to beneficiaries of international protection; and an evaluation report on the Dublin system, which determines which Member State is responsible for examining an asylum application.

The results of the debate on the Green Paper will set out a roadmap for the Commission's work towards the achievement of the Common European Asylum System by 2010.

The goal pursued in the first stage was to harmonise the Member States' legal frameworks on the basis of common minimum standards. The ultimate objective is to establish a level playing field: asylum seekers should have access to protection under equivalent conditions in all Member States.

The goal in the second stage should be to achieve a higher standard and greater equality of protection across the EU as well as a higher degree of solidarity between EU Member States.

The Green Paper is designed to stimulate a broad debate among all the relevant stakeholders: the EU institutions, national, regional and local authorities, candidate countries, third-country partners, intergovernmental and non-governmental organisations, academia and the social partners.

Already around 2 million permits are granted each year to third-country nationals to reside in the EU for employment, family or study reasons. In my opinion, however, there can be no successful immigration without integration.

We must therefore do more to ensure that immigrants are welcomed for the contributions they make to our society and encouraged to play a full part in it. We must ensure fair treatment and a comprehensive set of rights to legally staying third-country nationals.

There is also another new phenomenon which we must tackle urgently, namely, immigrants in Europe who fear, or worse reject, integration. This affects not only first generation immigrants but also their children and even their children's children.

Therefore a key priority will be to do more to help immigrants integrate, as highlighted in the Common Agenda for Integration in September 2005. National policies will be encouraged – but we have to set common goals. These respect different traditions, cultures and religions while fully complying with national and EU laws, and with the absolute value of human life and dignity.

I was recently in Vienna at the inauguration of the new Fundamental Rights Agency. Integration must be based on respect for fundamental rights. We must also consider individuals' rights – not just the rights of groups of people. We must ensure an identity for Europe, based on respect for individuals' fundamental rights. We must therefore integrate migrants successfully into our society and respect their individual rights.

We have a first idea of what we mean by integration in the EU. We have initial objectives and key measures in areas such as employment, education, respect for diversity, and dialogue between citizens. Local involvement, those in our towns and cities – people on the front line of integration – is key.

A few words in conclusion. I have outlined the main challenges that we face in developing EU migration and asylum policy over the next few years. We are developing a European approach to migration management, which gives us the best prospects for minimising the negative effects of migration and maximising the benefits for all concerned - the EU and its citizens, the countries from which migrants come and the migrants themselves.

To implement these policies, the Commission and the Member States must work together to boost Europe's response to the challenges ahead. A long-term commitment from all sides will be required.

We must also work together. No single Member State can successfully tackle this constantly evolving challenge on its own. The Commission is here to help.