



**CHALLENGES  
FOR MIGRATION AND ASYLUM  
IN THE YEARS TO COME**

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International migration is growing in scope and complexity and has a serious impact – both positive and negative – on the EU and its Member States. The EU's comprehensive migration policy provides a coherent and efficient way of responding to the challenges and opportunities linked to migration. Over the coming years the EU will need to further expand this comprehensive common migration policy, based on a continuation of the work carried out over the last seven years since Tampere.

This kind of comprehensive policy covers both the internal and the external aspects of migration. It needs to deal with legislation, but also with practical cooperation. It will also require close and constructive cooperation between all stakeholders involved.

On the one hand, we need to consolidate the results already achieved in the development of the EU's migration acquis. On the other hand, this process will include a deepening of our policies, including new legislative proposals and new concepts that will underpin the implementation of existing policies.

A well-managed migration policy is an area where our citizens have high expectations. As such, migration policy constitutes one of the key areas for the EU where we can and must demonstrate that we are able to respond to their justified concerns. We need a European approach, which can help the EU address unwanted phenomena such as irregular migration, while ensuring that Europe can welcome the migrants that its economy needs and its society is capable and willing to receive. Putting in place such a policy in time will require close, frank and effective cooperation between the Commission, the Council and your Parliament in particular.

The High-level Conference on Legal Migration, held in Lisbon last week, sent out a strong and clear signal that we can count on an emerging consensus in the EU that, to ensure future economic growth, we need a better managed migration policy which also encompasses channels for more legal migration. This is the encouraging message I took home from that conference, which contrasts starkly with the sometimes unfair and incorrect coverage in the media of some Member States. I have always stressed that immigration is only one of the elements of the Lisbon strategy.

Reports describing the Commission as advocating or planning the admission of up to 20 million immigrants over the coming years are utter nonsense. The Commission remains attached to the spirit and letter of the Constitutional Treaty. With my future proposals on legal migration, I have no intention of calling into question the jurisdiction of any EU Member State, which is the sole authority determining the number of migrants admitted onto its territory. I know that the headline in the Financial Times have stirred up emotions in many European capitals. So I am here today to reassure politicians and the public at large that I have not changed my mind. The headline in the Financial Times served no other purpose than to create confusion. Having put this particular record straight, let me now focus on a number of concrete aspects which are of particular importance for the coming years:

In its Policy Plan on Legal Migration of December 2005, the Commission put forward realistic proposals for a common policy in this field, covering rules on certain categories of immigrants, information and integration programmes, plus measures on circular migration and on vocational and language training in the countries of origin.

On 23 October I will be putting forward the first two legislative proposals: a Directive on the basic socio-economic rights of all third-country workers and a Directive on the admission of highly qualified immigrants. In 2008 proposals for Directives on seasonal workers, remunerated trainees and intra-corporate transferees will follow.

Implementation of the Policy Plan is a top priority for the next two years: in this respect, I would like to thank the LIBE Committee and its rapporteur, Ms Lilly Gruber, for the support expressed for our comprehensive approach to immigration in the report that will be voted on next week by the plenary meeting. On this sensitive subject, it is important for the Commis-

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sion to be supported by Parliament not only in respect of the general approach chosen, but also when it comes to specific legislative and operational measures.

Most of the points raised are already at the centre of our present reflexions: by way of example, we are fully aware that we need to have tailored solutions to avoid brain drain of highly qualified workers in sectors and countries where this would have serious repercussions on the development of countries of origin. Provisions for facilitating circular migration will be proposed. An even more effective tool for managing recruitments of this kind might be partnership agreements: we could agree with developing countries where not to recruit, for example. The fact that we need highly qualified immigrants does not mean that we cannot develop high standards of ethical recruitment.

Other points, such as producing estimates of labour needs on the Member States' labour markets in the short- to medium term, need further reflexion: I am thinking of launching a study on this issue, early next year, which could also be the basis for discussion on whether or not we should envisage proposing common rules, further down the line, on the admission of other economic immigrants. Let me take this opportunity to say a few words on the two forthcoming proposals.

The aim of the proposal for a Directive on the admission of highly skilled migrants is to offer more attractive entry and residence conditions for highly skilled migrant workers to come to Europe. Given that labour market needs differ, the common system will combine a degree of harmonisation, with clear flexibility built in by way of:

- a fast-track procedure for the admission of highly qualified third-country workers based on common criteria and demand-driven.
- workers admitted under these schemes being issued with a special residence permit allowing them to work, called the „Blue EU Labour Card“;
- workers being entitled to favourable residence conditions, including on family reunification, and to move to a second Member State for work under certain conditions after two or three years of legal residence in the first Member State.

The second proposal, the general Framework Directive on the basic socio-economic rights of all third-country workers, will set out to:

- simplify procedures for the admission of third-country workers by creating a single application procedure for a single work-residence permit; and
- grant a common set of socio-economic rights to all third-country workers already admitted and legally working in a Member State. This objective was first expressed (but not yet achieved) in the 1999 Tampere conclusions which state that the EU should ensure fair treatment of third-country nationals residing lawfully on the territory of the Member States by granting them rights and obligations comparable to those of EU citizens. We intend therefore to narrow the existing „rights gap“ between immigrant and EU workers by proposing equal treatment with nationals in a number of areas.

Migrants are a crucial part of the EU's competitiveness strategy and their full potential can only be realised if they are given the opportunity to integrate into the host society and economy. Integration of legally resident immigrants is therefore a top priority and a key part of the EU's comprehensive immigration policy.

Last week, together with Commissioner Špidla, I submitted the 3rd Annual Report on Migration and Integration, in which I report on progress in the implementation of the Common Agenda for Integration and provide an overview of national developments. An important part of the report covers information on implementation of the EU framework for the integration of third-country nationals, where we give an account of all the measures taken so far and announce future actions, inclu-

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ding the production of the integration website to be launched in 2008 and the establishment of the European Integration Platform, which we plan to set up in co-operation with the European Economic and Social Committee in a bid to give civil society a voice.

New political priorities, including focusing on activities targeting the host society, producing common integration indicators and examining the role of citizenship in integration process, were agreed by the Council in its June conclusions on the strengthening of integration policies in the EU by promoting unity in diversity. I shall spare no efforts in pursuing this common agenda.

An effective migration policy cannot be limited to instruments for the admission and integration of immigrants. We also need to fight illegal immigration more effectively and with greater resolve. This is needed to ensure the credibility of our policies and to show that the Commission is doing everything it can to promote European cooperation in this area. And it is vital that we engage third countries in this fight to the fullest extent possible.

One of the key priorities here is to step up the fight against one of the main pull factors for illegal immigration, namely, the possibility of finding illegal employment in the EU. In May we proposed a Directive on sanctions against employers of illegally staying third-country nationals. The European Council expressly underlined the importance of this Directive and we hope that it will be adopted quickly.

At the same time, the Commission continues to prioritise work on common standards and procedures for the return of illegally staying third-country nationals and the negotiation and conclusion of further Community readmission agreements.

Other important ongoing initiatives in this area include the establishment of the Rapid Border Intervention Teams (RABITs); further strengthening of the Borders Agency, Frontex; and examining the set-up of a European Patrols Network and European Surveillance system for the external borders.

Managing migration requires dialogue and close cooperation with third countries. The Global Approach to Migration, adopted by the European Council in 2005 and further developed in 2006, has proved to be an invaluable way of doing this. It aims to formulate comprehensive and coherent policies that address a broad range of migration-related issues, bringing together justice and home affairs, development and external relations in an effort to enhance dialogue and cooperation on migration in partnership.

Thus far, the Global Approach has focused on Africa and the Mediterranean, promoting dialogue with African countries and regional organisations on migration issues.

At continental level: Ministers from the whole of the EU and the whole of Africa met in Tripoli (November 2006) at a Conference on migration and development – the first time ever that the EU and Africa had met to take a joint commitment towards working together on migration and development. Dialogue on migration has also been stepped up with the African Union.

At regional level: Ministers from EU Member States also met their counterparts from North and West Africa at an EU-Africa conference on migration and development held in Rabat (July 2006), which brought together some 60 source, transit and destination countries to talk about migration issues of common interest and concern for the first time.

At bilateral level: dialogue on a range of migration issues has been initiated with key Sub-Saharan African countries and has continued with Mediterranean countries, building on the work already carried out as part of the European Neighbourhood Policy (ENP). This dialogue covers a broad range of migration issues of interest to both sides, including looking at where the EC can offer assistance in helping African countries to build capacity to help them manage their own migration and asylum systems more effectively.

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Migration and development has been a key item on the agenda of this dialogue. It is now widely accepted that migration policy can be good for development policy and vice versa. Policy efforts are now geared to harnessing the positive links and synergies between the two areas. Dialogue has also gone hand in hand with concrete action. Many projects have been launched under the AENEAS programme and the European Development Fund. The recent initiative to set up a Migration Information and Management Centre in Mali is one example.

Implementation of the Global Approach also requires the creation of new instruments. Let me mention 4 of them: Migration profiles, cooperation platforms, mobility partnerships and circular migrations.

The Commission's 'Migration profiles' are designed as a tool to help pool all the information required to develop policy in the field of migration and development and to monitor the impact of the policies implemented. I believe that these Migration Profiles need to be developed in much more detail, because they provide us with a basis for more precise programming and evaluation in the migration area.

Cooperation platforms on migration are also currently being developed. These platforms aim to promote coherence in policy implementation by bringing together migration and development stakeholders in a given country or region, including representatives of the country concerned, EU Member States, the Commission and international organisations such as the World Bank, UN agencies, the International Organisation for Migration and the International Labour Organisation.

The Commission has recently mooted the concept of 'mobility partnerships'. The basic idea is that progress can be made by putting together specific 'packages' that include items of relevance for both the EU and interested third countries. EU offers could include short-stay visa facilitation, facilitated access to the labour markets of certain Member States and circular migration schemes. In return, partner countries could pledge cooperation on fighting illegal migration, return and readmission.

Circular migration can also present new opportunities. If carefully constructed, we believe that this kind of migration can be good for the EU, by filling specific gaps in the labour markets, good for the country of origin, by way of individuals sending money home or returning with new skills, and, not least, good for the migrant. The feasibility of making sure circular migration stays circular, and indeed further thinking on whether it is always desirable for migration to be circular, will be the subject of in-depth discussion over the coming months.

The Portuguese Presidency intends to have Council conclusions on Mobility Partnerships and Circular Migration at the end of the year.

Under the Euro-Mediterranean Partnership, Ministers will meet in Portugal in November to discuss migration. EuroMed partners and the EU have a clear common interest in managing migration in partnership, and the Ministerial meeting will focus in particular on legal migration, migration and development and illegal migration.

As part of the longer-term approach, the EU and Africa are currently drafting a Joint EU-Africa Strategy, which will be adopted at the next EU-Africa Summit to be held in Lisbon in December. Migration is set to be a key part of both the Strategy and the Summit, with the adoption of a „Partnership on migration, mobility and employment“, once again underlining the priority given to the domain by EU and African leaders alike.

In December 2006, following a Communication from the Commission, the European Council decided to extend the Global Approach to eastern and south-eastern regions.

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Priority actions focus on operational cooperation between Member States (e.g. improving coordination on border management with Frontex) and enhancing cooperation with countries such as the Western Balkans, Turkey, European Neighbourhood Policy countries, Russia, Central Asia and Asian countries of origin.

These priority actions will be taken forward in a manner similar to that in which the work with Africa has been developed. Dialogue will be promoted at bilateral and regional levels, and concrete action will be given the support of EC financial instruments. The Commission will continue to coordinate the work via regular expert meetings, and will report to the European Council on progress made at the end of the year.

Migratory flows to the EU are mixed and include people who are seeking asylum. We must ensure that we have a system in place that can provide 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 being adopted by the end of 2010.

Before coming forward with new proposals, we wanted to launch a wide debate on how it should look. In June, therefore, we issued a Green Paper to form the basis for a wide debate on the future architecture of the Common European Asylum System. A Public Hearing will take place on 7 November and the results of this consultation will be published at the beginning of 2008.

Finally, let me turn to „money“ for a moment. An important step has been taken with the adoption of the new Solidarity Framework Programme, which covers borders, return, asylum and integration. For the first time Europe has given itself the funds it needs in this policy area. Almost 4 billion euro has been allocated to this framework programme in the 2007-2013 financial perspectives.

In addition, the European Commission recently launched a new programme for co-operation with third countries in the areas of migration and asylum with a budget of €380 million for 2007-2013. Building on the experience of AENEAS, the programme will seek to support third countries in their efforts to ensure better management of migratory flows. We believe that with these budgets financial support for Europe's migration policy is secured. We will however need to monitor closely whether procedures allow us to use these funds in the most effective way. We also need to see how demands develop over time. If Europe wants to formulate a substantial and sufficient answer to the opportunities and challenges migration brings, we all have an interest in ensuring a sound financial basis.