

Brussels, 17 June 2008

A Common Immigration Policy for Europe

During the last decade, the need for a common, comprehensive immigration policy has been increasingly recognised and encouraged by the European Commission and the EU's Member States. The Commission is therefore now proposing concrete principles and measures – accompanied by a new strategy on immigration governance – on which to base the further development of the common immigration policy over the coming years.

Today the Commission adopted a Communication on "A Common immigration policy for Europe: principles, actions and tools". This Communication must be read in conjunction with the Policy Plan "Asylum – an integrated approach to protection across the EU", adopted in parallel, to have the full picture of what the Commission is proposing to the Member States, the European Parliament and relevant stakeholders to ensure the further development of the comprehensive EU immigration policy, as defined by the European Council in December 2006.

The political mandates

During the last decade the European Union and its Member States have gradually established the foundations of a common legal framework on immigration and asylum, based on the milestones of the Tampere European Council conclusions of October 1999, reconfirmed by The Hague Programme of 2004. These clearly stated that the common European immigration policy shall be based on: 1) the development of partnerships with countries of origin and of transit (Global approach); 2) a common European asylum system, in full respect of the terms of the Geneva Convention and Member States' obligations under international treaties; 3) fair treatment for third country nationals, aiming to give them comparable rights and obligations to those of nationals of the Member State in which they live; 4) a comprehensive approach to the management of migration flows .

More recently, the European Council of June 2007 reaffirmed the Tampere principles by clearly stating that "recent events have demonstrated once again the need to make rapid progress in developing a comprehensive European migration policy based on common political principles, capable of taking account of all aspects of migration, based on a genuine partnership with third countries and fully integrated into the Union's external policies" . Underlining the need for a renewed political commitment, the December 2007 European Council stressed that further developing a common immigration policy complementing Member States' policies remains a fundamental priority in order to respond to the challenges and opportunities of globalisation.

It is important to recall that the common immigration policy only deals with third-country nationals, and not with the right to free movement of EU citizens.

The Communication

By means of this Communication the European Commission presents the common vision that underlies the common immigration policy, responding on the one hand to the clear request of the December 2007 European Council. The Communication also addresses the remaining elements on immigration and asylum of The Hague Programme. It should be endorsed by the , European Council of 15 October 2008 and, will in the course of 2009, feed into a new five-year Programme in the Justice, Freedom and Security area. This Communication is based on the main principles established and on the achievements since 1999, as well as on the full respect of the rights, freedoms and principles that are enshrined in the Charter of Fundamental Rights of the European Union. In order to provide a coherent and efficient response to the challenges and opportunities related to migration, it proposes on the one hand, ten common principles on which to base the future developments of the common policy on immigration and, on the other, new monitoring and evaluation mechanisms and tools in order to strengthen the coherence of the EU and Member States policies in this field and to improve migration governance by means, inter alia, of an enhanced cooperation between the different levels involved (EU, national, regional and local).

The ten common principles

The ten common principles are based on the Europe commitment to uphold universal values such as protection of refugees, respect for human dignity and tolerance. They have been grouped under the three main strands of the EU policies: prosperity, solidarity and security. Each principle is accompanied by a non-exhaustive list of concrete actions to be pursued at EU and/or Member State level and designed to implement the principle in practice. Such principles are in brief:

1. Prosperity and immigration: these three principles aim at recognising and enhancing the contribution of legal immigration to the socio-economic development of the EU. Namely they deal with: 1) Clear rules and a level playing field; 2) Matching skills and needs. 3) Integration is the key to successful immigration. It should be strengthened by means of a "two-way-process" actively involving both host society and immigrants.
2. Solidarity and Immigration: in this context solidarity is meant as solidarity among the Member States, burden-sharing (financial solidarity) and solidarity and partnership with the countries of origin and transit of immigrants. In concrete terms, these three principles state the need for: 4) Transparency, trust and cooperation among the Member States 5) Effective and coherent use of available means - in particular to support specific migratory and geographic challenges faced by Member States; 6) Partnership with third-countries to discuss and address together the whole spectrum of issues linked with the migration phenomenon.
3. Security and Immigration: these four principles deal with the need to ensure that the rules laid down in the immigration area are respected, and that illegal immigration is addressed in an efficient manner : 7) A visa policy that serves the interests of Europe by facilitating the entry of bona fide visitors while at the same time enhancing security; 8) Integrated border management to preserve the integrity of the Schengen area without internal border controls; 9) Stepping up the fight against illegal immigration and Zero tolerance for trafficking in human beings; 10) Sustainable and effective return policies

Strengthening immigration governance at all levels

Immigration, being a complex and multifaceted phenomenon, requires a mixture of policy actions covering a wide range of issues and fields: demographic constraints, economic needs, social expectations, health impacts, trade commitments, development needs, education opportunities, security dimension, etc. As a consequence of a shared competence policy area, coordination between the EU and the national level, especially on economic, social and development policies, must be significantly fostered. The Commission is firmly convinced that the common immigration policy must be delivered in partnership between the Member States and the EU institutions and should be based on the economic and immigration situation of each Member State and of the EU as a whole. To achieve these aims, the Communication proposes:

1. To enhance the coordination and the coherence of EU and Member States' policies and measures, between the different levels of governance (EU, Member States) and among the different policy areas involved, and to increase transparency also by promoting consultation of relevant stakeholders.
2. To set up a common methodology, that would include the development of immigration profiles for each Member State and the definition of objectives for the implementation by the EU and its Member States of the common principles and the concrete measures agreed.
3. A monitoring and evaluation mechanism that would include an annual political assessment and recommendations by the Spring European Council on the basis of a Commission's report on the immigration situation at European and national level.

Follow-up of the Communication

This Communication is intended to feed into the debate leading first to the adoption of a European Pact on Immigration by the European Council of 15 October 2008 and, in the course of 2009, to a new five-year Programme in the Justice, Freedom and Security area. It will also contribute to the definition and implementation of other policy areas, such as the renewed Social Agenda, to be presented before the summer.

Following discussion with Member States and other stakeholders, the European Council will be invited to adopt the common principles. It will also be invited to endorse the measures proposed to further develop and reinforce governance of immigration in Europe.

Impact assessment

The proposal is accompanied by an impact assessment which will be published at the following address:

http://ec.europa.eu/dgs/justice_home/evaluation/dg_coordination_evaluation_annexe_en.htm

Immigration in the European Union – figures

Stock of third-country nationals

- On 1 January 2006 the total population of the EU27 was close to 493 million. Out of these, 18.5 million were third-country nationals, equivalent to just under 3.8% of the total population.
- The most important groups of third-country nationals residing in the EU27 are citizens from Turkey, Morocco, Albania, Algeria and Serbia.

Irregular migration

Statistics on the **stock of irregular migrants** are difficult to obtain by the very nature of the phenomenon. However, data on refusals at the border, apprehensions in the territory and removals provide useful information on the phenomenon of irregular migration.

- Refusals at the border have decreased by 20% between 2003 and 2006 (reaching 911,726 in 2006), with most refusals happening in Spain and concerning Moroccan nationals.
- Apprehensions, on the contrary, have increased by 20% between 2003 and 2006 (with 516,195 apprehensions in 2006), with Spain, Italy and Greece as the countries where more apprehensions took place; Albania, Morocco and Ukraine were the most important countries of origin of apprehended irregular migrants.
- Finally, removals have also decreased by 20%, with 201,870 in 2006; Greece and Spain were the Member States which removed more irregular migrants; the third-country nationals more often concerned were, again, Albanians, Moroccans and Ukrainians.
- Regularisations also provide information on the population of irregular migrants. At least 3,752,565 persons have been regularised in five EU Member States (France, Spain, Italy, Portugal and Greece) since the early 1980s. Other EU Member States use regularisations.

The present situation and challenges in terms of immigration in the EU

As a result of diverse shifts in demographic features of the EU population, and further to the withdrawal from the labour market of the baby boomers cohort, the working age population will face, in the coming years, a sizeable decline. This will have adverse consequences relating to pension expenses, health spending and long-term care, dependency ratio and more broadly to the dynamism of economy. According to the latest population projections produced by Eurostat, by 2060, the working age population of the EU is projected to fall by almost 50 million even with continued net immigration similar to historical levels. By 2060, without such immigration, the working age population would be around 110 million lower than today which would mean that in the EU, overall, the number of people over 65 per person at working-age would more than double by 2060. Against this backdrop, migration has thus become a major determinant of demographic evolution in the EU since over recent years it has outweighed the contribution from natural change. However, the most important contribution of immigration to the EU economy and competitiveness will be to help, alongside and as an essential complement of the Lisbon Strategy for growth and jobs, to fill in arising and future labour and skill gaps on the EU labour markets. It is crucial in this respect to underline that the fall in the working age population shall not automatically mean that there should be an equivalent number of immigrants to fill in the gap: such a high level of immigration would be unrealistic and impose a severe strain to EU societies and economies. Furthermore, in the EU, the determination of the volumes of labour immigrants to be admitted remains under the full responsibility of the single Member States.

Labour immigration is not the only typology of legal immigration to the EU: other categories of third-country nationals – such as students, researchers, family members, businessmen and entrepreneurs – are equally important, if not always in terms of volumes, surely in terms of contribution and challenges, and fair and transparent rules need to be in place for them.

On the other hand, from a security perspective, illegal immigration may be linked with terrorism, trafficking in human beings, smuggling of drugs and weapons, exploitation, slavery-like working conditions and other serious crimes. Besides, illegal immigration is often associated with humanitarian tragedies, linked to attempts to enter into the EU territory with the help of criminal networks. Given that border controls are a key component in the fight against illegal immigration and in countering cross-border crime, it is indispensable to ensure an efficient and extensive border control, while at the same time ensuring that bona fide travellers be able to cross borders in a streamlined and not too burdensome manner.

Finally, cooperation and dialogues have proven in the recent years to be a more and more essential element to achieve an efficient management of immigration flows to the EU, including in terms of promoting a more structured labour migration and of fighting against illegal immigration and trafficking of human beings. The attenuation of the root causes of migration is another important element.