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**Recent developments of immigration
and integration in the EU and on recent
events in the Spanish enclave in
Morocco**

Check Against Delivery
Seul le texte prononcé fait foi
Es gilt das gesprochene Wort

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Speaking points :

Update on EU migration policy developments :

- 6 years ago – following the entry into force of the Amsterdam Treaty in May 1999 and the Tampere summit in October 1999 – few would have predicted the level of progress we have achieved. **Justice and Home Affairs is now firmly at the centre of European debate and well reflected in our relations with third countries.** The dynamism in this policy sector is undeniable.
- January 2005 – launch of the “second phase”: Tampere 1999-2004 finished, new steer for next 5-year period by “**the Hague Programme**”, adopted by the European Council in early November 2004.
- June 2005 – **Joint Council/Commission Action Plan**: more than 80 (legislative) proposals, of which 32 will be realized in 2005. Action Plan involves policy areas which are central to citizens, as they have a direct impact on their daily lives. In particular these are asylum, immigration and integration policies.

Recent developments in the field of migration/integration

- Hardly 3 months after the approval of the Joint Action Plan, the Commission started to present the first proposals requested therein.
- On **1 September**, the Commission adopted an important and **comprehensive “immigration package”** of four concrete measures touching upon return (draft directive), integration (Communication), migration and development (Communication) and regional protection programmes (Communication). This “package approach” of linking interrelated issues is a good example of the balanced way how the Commission wants to steer European migration policy development in the years to come.
- The **proposed return directive** has been tabled in response to the Hague Programme. The draft directive provides for **clear and transparent common rules concerning return, removal, use of coercive measures, temporary custody and re-entry**, which take fully into account the principle of proportionality as well as respect for human rights and fundamental freedoms of the persons concerned. The proposal aims to establish a horizontal set of rules, applicable to any illegally staying third-country national. A return decision must be issued to any third-country national staying illegally. Priority must be given to voluntary return. If the third-country national concerned does not return voluntarily, shall Member States enforce the obligation to return by means of a removal order.
- The Communication on “**A Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union**” is a first response from the Commission to the request to establish a coherent European framework for integration.
 - Following the adoption of **Common Basic Principles on integration (CBPs)** in 2004, the Communication contains proposals for concrete measures to put the CBPs into practice, together with a series of supportive EU mechanisms.
 - Actions meant to provide guidance for EU and Member States’ integration policies are suggested.
 - The Communication also stresses the importance of further clarifying the rights and responsibilities of migrants within the EU.

- The **two Communications on Migration and Development and Regional Protection Programmes** will strengthen the external dimension of migration and asylum policies.
- I put forward a set of policy orientations that will help **maximise the benefits of migration for the development of migrants' countries of origin**.
 - Migrants and diaspora members can make an important contribution to their countries of origin through remittances and their skills and expertise – whether by returning permanently, investing or by sharing their expertise with their compatriots back home.
 - The Communication also looks at how to limit the negative effects of **brain drain**.
 - With this document, I intend to provide very concrete input into a debate of increasing global importance and in particular to the High Level dialogue on Migration and Development that will take place next year in the framework of the United Nations General Assembly.
- While **the numbers of asylum applications in Europe have fallen in recent years**, this has not meant a reduction of the numbers of refugees at a global level. The vast majority of refugees remain in their regions of origin in circumstances of extreme poverty and questionable safety. It is therefore **important to ensure that those who need protection are able to access it as quickly as possible** and as closely as possible to their needs.
- I therefore propose to set up “**Regional Protection Programmes**” which aim to assist third countries who host large refugee communities or are faced with large numbers of asylum applicants in building their protection capacity.
- The **first pilot Regional Protection Programme** will be implemented in the Western New Independent States (Western NIS) that is to say Ukraine, Moldova and Belarus. The **second pilot Programme** will be implemented in the Great Lakes Region (e.g. Tanzania) and the Horn of Africa.
- In addition to this package, I proposed a **draft framework regulation on statistics in the field of migration and international protection** mid-September and, once in force (not before 2007), it should help us to obtain quicker and more comprehensive and reliable data.
- In parallel, we need to enhance trust among Member States and encouraging coordinated approaches to migratory issues which are likely to have an impact on other Member States, such as regularisations. I therefore submit a draft decision to the Council to establish a mutual information procedure.
- **As far as external relations are concerned, we had a recent breakthrough in our *parallel negotiations with Russia on readmission and visa-facilitation*. We hope that this success will have a positive spill over effect on ongoing negotiations with other third countries, such as Morocco, Algeria, Ukraine, Turkey and Pakistan.**
- Before the end of the year, I will present a **policy plan on legal migration, including admission procedures**. This paper will base itself on the results of the consultation process stimulated by the “Green paper on economic migration” to re-launch a debate on this sensitive subject.

- The Commission received more **than 130 written contributions**. Broad support for this initiative and for the perspective of a common European framework for economic migration was expressed by many different actors: Member States, NGOs, local authorities, academic experts, the European Parliament and social partners.
- Even though their views did not fully coincide, **some common messages** could be extrapolated:
 - any system agreed must be simple, un-bureaucratic and flexible enough to adapt to the different needs of the labour markets in the Member States;
 - most stakeholders favour a **horizontal approach**, accompanied by **special schemes** for either high skilled or seasonal workers (or both);
 - broad support was given to the principle of granting preference to EU and already established third-country nationals over newly arriving third-country workers (**Community preference**);
 - the idea of a **job-seeker permit** (in very broad terms comparable to the “US lottery”) was supported in general terms, but it might be difficult to be put in place at EU level;
 - a **common framework of rights** was considered essential for ensuring fair treatment of all third-country nationals;
 - strong integration policies and increased cooperation and dialogue with the countries of origin were considered essential;
- Based on the results and subsequent analysis of the public consultation, the policy plan on legal migration will be a **roadmap outlining the legislative and operational measures** to be proposed in the field of legal migration, in particular for labour migration.
- One issue will be particular important: how to improve the EU’s capacity to attract the **highest skilled migrants**. Europe must learn from countries like the US, Canada and Australia, who have longstanding experience in this field. There is increasing international competition to attract highly skilled and qualified migrant workers.
- Europe needs to put together **high quality packages** to persuade the top end of migrants, such as engineers and biologists, to choose our continent as their destination. A first important achievement in this sense is the facilitated procedure for the **admission of third-country researchers** which the Council adopted on 12 October, and which will become applicable in two years time. Now the EU common immigration policy must be pushed further following this successful precedent.

The recent events in Ceuta/Melilla

- The tragic events in Ceuta and Melilla have demonstrated that the migration pressure on the EU is increasing. This is a truly European problem that needs a European answer.
- The experience with Libya demonstrates that with the EU political clout it is possible to move forward and make progress with third countries. The EU has managed to engage quickly and important progress is made in the political agenda setting.

- We now need to do the same in the **follow-up to Ceuta and Melilla**. The JLS Council has been informed on 12 October and the full Commission one week later. At both occasions my proposals have received full backing. At the same time, the Commission has also published an **official report on the outcome of the technical expert mission** of the beginning of October.

- At the initiative of France and Spain, the issue of illegal migration has also been on the table at the **informal European Council in Hampton Court** just a few days ago. **The issue was suggested for priority work** and there was an extensive discussion on aspects of external security such as the management of migration flows as well as the fight against illegal immigration. We need both to make sure that we have the proper controls on illegal immigration at the same time as recognising that controlled migration can actually bring a benefit to our European economies.

- Time has come to translate the political language and commitments into **concrete operational activities**. The EU – that is the Member States, the Commission, FRONTEX, EUROPOL – needs to be able to show its determination in a form that is tangible and visible for our citizens.

- To control illegal migration in the Mediterranean region we need concrete activities and we could use the concept of a **three lines of defence**:

A: First line: EU borders

- We need to do much more to control the EU external borders.

- We need, as from spring 2006, regular joint maritime patrols that will not only prevent people from trying to cross the Mediterranean Sea towards the EU's southern shores but will also rescue those in need.

- * We need to explore the contribution the navy can make, in surveillance and interception.

- * We need to look at the application of modern technology to enhance our surveillance capacity, for instance by making use of satellite

B: Second line: Countries of North Africa

- * We need to do more to support countries of North Africa, like Libya, Morocco and Algeria which are the main countries of transit for illegal immigration into Europe. We need to agree with them an approach to search and rescue, assist them in better border management, combat jointly trafficking in and smuggling of human beings, help them meeting their Geneva obligations, involve them in our projects, make available to equipment they need.

- * We made good progress since June in preparing a joint **EU-Libya** action plan. Concrete cooperation between Libya and the EU will certainly start early 2006, provided that political developments allow.

- * **Concerning Morocco**, I presented initial proposals at the 12 October JLS Council and intend to present a coherent framework for their implementation at the December Council. Priorities will be (1) assistance to Morocco for border controls, making available equipment; training, sending of experts; (2) concluding the EC readmission agreement; and (3) approaching Algeria encourage this country to assume its responsibilities vis-à-vis transit migration.

C: Third line: countries of origin

- * We need to work much more with the main African countries of origin. For them combating illegal migration is not a priority but we need to work with them to make it their responsibility.

* We need to approach countries like Senegal, Mali, Ivory Coast, and Niger. We know the routes that traffickers use through these countries. We know that traffickers and smugglers have an easy time when bribing police and border guards. Tackling illegal migration in those countries should become one of our priorities, however difficult this may be to achieve.

- In the coming weeks there will be a number of **important multilateral meetings** where illegal migration will be on the table. We need to use the following occasions to press for our views (5+5 meeting in Paris, 10th Anniversary Summit of the Barcelona process, EU-African Union Troika).

- Member States, especially those affected by these particular migration pressures should make every possible use of the **existing financial instruments** such as AENEAS, ARGO, the European Refugee Fund and the Return Preparatory Actions. A situation where the available budgets would not be used completely would be detrimental to our efforts.

- As a **short term measure** to allow to react to emergencies in close cooperation with the directly affected States – such as a sudden mass influx – the informal Meeting of Heads of State and Government gave the Commission the possibility to set up a sort of rapid **reaction mechanism** which would allow for assistance to the Member States and to third countries.

- We are talking serious problems, we should therefore be talking serious money. The establishment of a **framework programme on Solidarity and Management of Migration Flows for the period 2007-2013** has key importance. The Commission counts on Member States support to make sure that this program – and related external relations programmes – will have the financial size that is in line with the challenges that face us.