

Policy plan on legal migration

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The Committee on Civil Liberties, Justice and Home Affairs adopted an own-initiative report drawn up by Lili **GRUBER** (PES, IT) recalling that the number of third-country nationals legally resident in the 27 EU Member States is approximately 18.5 million, and it welcomed the Commission's response to the European Council's request for a policy plan on legal migration including admission procedures capable of responding promptly to fluctuating demands in the labour market. It maintained that illegal immigration could not be countered unless means and channels of legal immigration were established at the same time, since the two phenomena were closely linked.

The Committee welcomed the institutional implications of the draft Reform Treaty, which extends qualified majority voting and co-decision powers to police and judicial cooperation in criminal matters as well as the extension of competences in respect of asylum and immigration policies of the Union. The Commission was asked to carry out a short- and medium-term forecast of the requirements for additional labour in the various Member States. Member States should provide the Commission with a statistical estimate in order to enable the Commission to make suitable forecasts concerning labour requirements within the EU. These estimates must take into account also non-economic migrants, refugees and persons in need of subsidiary protection, as well as family reunifications. The report considered that a clear definition of each category of economic migrant concerned by the directives currently being drawn up must be adopted.

Proposal for a general framework directive: it was essential to have a directive designed to provide third-country nationals who were legally employed in a Member State with a common framework of rights, accompanied by the requirement to fulfil a certain number of obligations. Members insisted that such a directive be submitted in advance of the four specific directives. They recalled the need to avoid double standards of rights amongst different categories of workers and to safeguard particularly the rights of seasonal workers and paid trainees, who are more vulnerable to abuse. The report endorsed the idea of a single application for a joint residence/work permit. In addition, measures should be explored in order to investigate the possibility for immigrants to transfer their pension entitlements and their accumulated welfare rights stemming from their employment, for which they were required to pay contributions, when they return to their country of origin.

Circular migration, return migration and mobility partnerships: the report called upon the Commission to explain the link between circularity and integration, pointing out that according to the Commission 'supposedly circular migration may very rapidly become permanent and thus fail to meet the intended objective'. It supported the idea of long-term multiple-entry visas as well as the possibility of granting priority to former immigrants wishing to obtain a new residence permit with a view to further temporary employment. The Commission was asked to bring forward a comprehensive study on the possible implementation of a blue-card system and a job-seekers visa. The report also expressed interest in the planned Migration Information and Management Centre due to be set up in Mali.

Proposal for a Directive on the entry and residence conditions of highly skilled workers: expressing support for any measure designed to increase the attractiveness of the EU to the most highly skilled workers, the Committee called on the Commission and the Member States to explore ways to grant them the right to move freely within the EU; and to allow them to remain within the EU for limited period after the end of their contract or following redundancy. It considered it important that the risks of a 'brain drain' be taken into account and called upon the Commission - in conjunction with the countries of origin - to carry out statistical studies with a view to identifying the areas of expertise in which there is a clear risk of a brain drain. The Committee also supported the creation of an EU work permit (the so-called blue card)

to facilitate the free movement of 'brains' within Europe and the transfer of personnel within multinational companies.

Proposal for a directive concerning the entry and residence conditions of seasonal workers: pointing out that seasonal workers from third countries make an essential contribution to sectors such as agriculture, construction and tourism, the report considered the proposed scheme essential and that seasonal workers who abide by the rules laid down for this kind of migration should be granted priority access to other forms of legal immigration.

Proposal for a directive on the procedures governing the temporary entry, stay and residence of persons transferred within their company: Members endorsed the Commission's idea of strengthening the legal framework in order to promote mobility within Europe, pointing out that the situation of the persons concerned is governed under GATS.

Proposal for a directive on the entry and residence conditions for paid trainees: the paid-trainee category should be clearly defined (age limit, language skills, maximum length of training period, possibility of converting the statute into some other kind of residence permit, etc.) and checks need to be devised in order to prevent abuse of the statute. Paid trainees should be issued with a European residence permit valid for between 6 and 12 months.

Integration: the EU's immigration policy must be based on a comprehensive approach reconciling the requirements of the employment market in the Member States, admission and integration policies. A summary of the rights and duties of migrant workers should be drawn up in order to make it easier for such workers to participate in economic, social and political life, in order to achieve integration. Member States were invited to apply Directive 2003/86/EC on the right to family reunification, and asked to grant migrant women arriving under family-reunification arrangements a legal status that is independent of that of their spouse.

Communication: the report emphasised the particular responsibility of the media (in particular European public radio and television broadcasters) in the dissemination of an accurate image of immigration and in countering stereotypes. It was essential that interested persons should be informed regarding the terms and conditions of, and the opportunities for, legal immigration into the EU. Members supported projects designed to set up training and linguistic courses in the country of origin in order to help immigrants to develop skills and better adjust to labour needs in the EU.

Cooperation with countries of origin: the Committee supported the objective of concluding agreements with third countries in order to enable both legal and illegal immigration to be managed effectively. Nonetheless, such agreements must be fully in accordance with human rights, and it expressed reservations concerning the funding of projects in countries which did not uphold human rights. The funds which immigrants remit to their country of origin contribute to the development of the countries concerned. Members considered that the cost of transferring remits to countries of origin should be reduced in order to assist development. However, whilst every effort should be made to facilitate the transfer of remittances, they remain private funds that benefit primarily the families who receive them and should not be viewed as a substitute for Official Development Assistance.