Common immigration policy for Europe: principles, actions and tools

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PURPOSE: to present a Communication on a common immigration policy for Europe: principles, actions and tools.

CONTENT: the communication notes that immigrants (nationals of third countries) represent around 3.8% of the total population in the EU. Since 2002, there have been between 1.5 and 2 million net arrivals per year in the EU. On 1 January 2006, there were 18.5 million third-country nationals resident in the EU. In a context of an ageing Europe, the potential contribution of immigration to EU economic performance is significant. Immigration is a reality which needs to be managed effectively. In an open Europe with out internal borders, no Member State can manage immigration on its own. Apart from the economic potential, immigration can also enrich European societies in terms of cultural diversity. However, the positive potential of immigration can only be realised if integration into host societies is successful. The European Council in December 2007 stated that the development of a common immigration policy complementing Member States' policies remains a fundamental priority and asked the Commission to put forward proposals in 2008.

The text proposes **ten common principles** on which the common immigration policy will be articulated, grouped under the **three headings** of prosperity, security and solidarity. After stating each principle the text then indicates, to illustrate their future implementation, examples of concrete actions to be pursued at either EU or Member State level as appropriate and designed to implement the principle in practice.

Prosperity and Immigration:

- clear rules and a level playing field- the common immigration policy should promote legal immigration, which should be governed by clear, transparent and fair rules. Third-country citizens should be provided with the information necessary to understand the requirements for legal entry and stay in the EU. Fair treatment of third country nationals who reside legally on the territory of the Member States should be ensured, with the aim of approximating their legal status to that of EU nationals.

- matching skills and needs - immigration for economic purposes should respond to a common needs-based assessment of EU labour markets addressing all skills levels and sectors in order to enhance the knowledge based economy of Europe, to advance economic growth and to meet labour market requirements. This should be done in full respect of the principle of Community preference, for the right of Member States to determine volumes of admission and of the rights of the immigrants and by actively involving social partners and the regional and local authorities.

- integration is the key to successful immigration - the integration of legal immigrants should be improved by strengthened efforts from host Member States and contribution from immigrants themselves (“two-way process”), in accordance with the Common Basic Principles on Integration adopted in 2004. Immigrants should be provided with opportunities to participate and develop their full potential. European societies should enhance their capacity to manage immigration-related diversity and enhance social cohesion.

Solidarity and Immigration:

- transparency, trust and cooperation - the common immigration policy should be founded on a high level of political and operational solidarity, mutual trust, transparency, shared responsibility and joint efforts from the EU and its Member States.

- effective and coherent use of available means. The solidarity required to enable the common immigration policies to achieve their

strategic goals should comprise a strong financial component that takes into account the specific situation of the external borders of certain Member States and

the specific migratory challenges faced by them

- partnership with third-countries - an effective management of migration flows requires genuine partnership and cooperation with third countries. Migration issues should be fully integrated into the EU's development cooperation and other external policies. The EU should work in close tandem with partner countries on opportunities for legal mobility, capacities for migration management, identification of migratory push factors, protecting fundamental rights, fighting illegal flows and enhancing possibilities to let migration work in service of development.

Security and Immigration:

- **a visa policy** that serves the interests of Europe - the common visa policy should facilitate the entry of bona fide visitors and enhance security. New technologies should be used, where appropriate, to enable differentiated, risk-based checks on visa applicants with extensive sharing of information between Member States, whilst fully respecting data protection and privacy laws;

- **integrated border management** - the integrity of the Schengen area without internal border controls on persons should be preserved. The integrated management of the external borders should be strengthened and policies border controls should develop in coherence with policies on custom controls and on prevention of other safety and security related threats;

- **the fight against illegal immigration** and zero tolerance for trafficking in human beings - the EU and its Member States should develop a coherent policy on fighting illegal immigration and trafficking in human beings. Undeclared work and illegal employment in its different dimensions should be effectively combated via preventive measures, law enforcement and sanctions. Protection and support for victims of human trafficking should be reinforced.

- sustainable and **effective return policies** - effective return measures are an indispensable component of the EU’s policy against illegal immigration. Indiscriminate large-scale regularisations of illegally staying persons should be avoided, while leaving open the possibility for individual regularisations based on fair and transparent criteria. The European Council is invited to endorse the common principles proposed by this Communication on which the common immigration policy will build upon. These principles will be implemented through concrete actions, as suggested above, and followed up regularly through a new monitoring and evaluation mechanism including a regular assessment.