

Immigration: open method of policy coordination and integration in the relations with third countries

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OBJECTIVE: to integrate the issue of migration into EU external relations. **CONTENT:** With this communication, the Commission pioneers the approach that concerns related to legal and illegal migration need to be integrated into the external policy and assistance programmes of the EU. It elaborates how the EU's various external policies and instruments, including development policy, can make an important contribution in addressing the underlying causes of migration flows. The document also contains a report on the effectiveness of financial resources available for repatriation of immigrants and rejected asylum seekers, for management of external borders, and for asylum and migration projects in third countries. The Seville European Council in June 2002 had asked the Commission to submit both proposals for the integration of immigration policy into the EU's relations with third countries and an overview of the use of existing instruments. The Commission pursues three main objectives with this communication: 1) puts the migration issue into a broader context, taking account of the driving forces of international migration, the specific case of people in need of protection and the effects of international migration on developing countries; 2) gives an overview of the Community migration policy and how migration issues are being integrated in Community external cooperation programmes and policies. 3) indicates the possible policy developments that could improve the Community contribution to a better management of migratory flows, including the curbing of illegal migration. On the basis of the Amsterdam Treaty and following the policy orientations established by the European Councils of Tampere (December 1999) and Seville (June 2002), the Commission has progressively formulated the main components of a common policy on migration and asylum. The Commission's communication focuses in particular on EU relations with low and middle-income countries in Africa, Asia, Latin America and Europe, with the exception of the EU candidate countries. Until now, the Commission has proposed the establishment of a basic common legal framework and the gradual convergence of legislation, policy and practice through an open method of coordination between the Member States towards an EU migration policy. Migration issues have been successfully introduced into the dialogue between the EU and many countries. Substantial direct and indirect Community assistance (totalling some EUR 935 million for the period between 2000-2006) has been programmed to provide support to third countries in their efforts to address legal and illegal migration issues. The Commission has also facilitated regional cooperation on migration issues in the Balkans, the Mediterranean region and the former Soviet Union and tackled the root causes of illegal immigration by supporting sustainable growth and development and reducing poverty. Equally, the Commission is in the process of negotiating several readmission agreements between the European Community and third countries in which both parties reciprocally agree to accept the return of illegal migrants into their territory (with Hong Kong, Sri Lanka and Macao). Readmission agreements are being negotiated with Russia, Pakistan, Morocco and Ukraine and negotiations will be begun shortly with Albania, Algeria, China and Turkey. As regards ACP countries, the Cotonou Agreement requires the Parties to readmit their own nationals illegally present in the territory of another party. This obligation is legally binding. Concerning the future orientations, the Commission has drawn up four key principles for integrating migration concerns into the external policy of the Community: 1) the integration of migration aspects in the external action of the Community needs to encourage third countries to cooperate rather than to penalise those unwilling or unable to do so; 2) the long-term priority of the Community is to address the root causes of migration flows with its development programmes aiming at poverty eradication, institution and capacity building and conflict prevention; 3) the Commission proposes to give greater weight to migration aspects within the Regional and Country Strategy Papers. These papers form the basis of the EU's assistance programmes to third countries and their mid-term review is scheduled in 2003. This review should lead to a greater priority for specific programmes relating to migration; 4) additional funding will be needed to

provide specific and complementary support for the preparation and implementation of readmission agreements by third countries. This support would be financed from the budget line for cooperation with third countries in the field of migration, endowed with appropriate additional resources. In a report featured in the second part of the communication, the Commission assesses the effectiveness of financial resources available at Community level for dealing with migration. It is expected that this communication will be followed by another Commission communication scheduled for March 2003, dedicated to the various interactions between immigration, employment and social policies in the European Union.