Economic immigration: a Community approach

2005/2059(INI) - 11/01/2005 - Non-legislative basic document

PURPOSE: to present a Green Paper on an EU approach to managing economic migration.

CONTENT: The aim of this Green Paper is to launch a process of in-depth discussion, involving the EU institutions, Member States and the civil society, on the most appropriate form of Community rules for admitting economic migrants and on the added value of adopting such a common framework. This Green Paper concerns admission procedures for the economic migration of third country nationals and does not deal with the free movement of EU citizens within the Union.

Since the October 1999 Tampere European Council, the Commission has already sought to launch an in-depth discussion on a strategic project on economic migration. In 2001, it adopted a proposal for a Directive dealing with the conditions of entry and residence of third-country nationals for the purpose of paid employment and self-employed economic activities. Whilst the other European Institutions gave positive opinions, discussion in Council was limited to a first reading of the text. It believes that it is now time to revisit this issue in the light of developments in the immigration field over the past three years.

At the political level, the July 2003 Thessaloniki European Council stressed “the need to explore legal means for third country nationals to migrate to the Union, taking into account the reception capacities of the Member States”. The Treaty establishing a Constitution for Europe, agreed during the June 2004 Brussels European Council, states: “The Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows”.

Meanwhile, recognising the impact of demographic decline and ageing on the economy, the Commission highlighted the need to review immigration policies for the longer term, particularly in the light of the implications which an economic migration strategy would have on competitiveness and, therefore, on the fulfilment of the Lisbon objectives. This trend in society has encouraged the debate on migration to the EU, while not impinging on the responsibility of Member States to decide on the numbers of immigrants to be admitted. In fact, even if the Lisbon employment targets are met by 2010, overall employment levels will fall due to demographic change. Between 2010 and 2030, at current immigration flows, the decline in the EU-25’s working age population will entail a fall in the number of employed people of some 20 million. Such developments will have a huge impact on overall economic growth, the functioning of the internal market and the competitiveness of EU enterprises.

In this context, and while immigration in itself is not a solution to demographic ageing, more sustained immigration flows could increasingly be required to meet the needs of the EU labour market and ensure Europe's prosperity. Furthermore, immigration has an increasing impact on entrepreneurship. The EU must also take account of the fact that the main world regions are already competing to attract migrants to meet the needs of their economies. This highlights the importance of ensuring that an EU economic migration policy delivers a secure legal status and a guaranteed set of rights to assist the integration of those who are admitted. Moreover, the need for a European strategic initiative is strengthened by the fact that, in its absence, migration flows are more likely to be able to bypass national rules and legislation.

As a consequence, in the absence of common criteria for the admission of economic migrants, the number of third country citizens entering the EU illegally and without any guarantee of having a declared job – and thus of integrating in our societies – will grow.

In this context the Commission fully recognises that decisions on the numbers of economic migrants to be admitted in order to seek work are a matter for the Member States.

However, decisions to admit such third country nationals in one Member State affect others (right to travel within the Schengen area, to deliver services in other Member States, to move to other Member States once long-term residents status has been acquired; impact of the admission of third country workers on the EU labour market) and the EU has international obligations in relation to some categories of economic migrant. The Commission therefore believes that there is a clear case for agreeing transparent and more harmonised common rules and criteria at EU level for admitting economic migrants.

All of the above, together with a reflection on the added value of adopting measures at EU level, are the basic foundations upon which any action in this field must be built. In addition, any adopted measure should minimise the administrative burden for Member States and third-country nationals.

The purpose of this Green Paper is therefore not to describe policies in the EU25, nor to compare them with those of other world regions. It is to identify the main issues at stake and possible options for an EU legislative framework on economic migration. In doing so, the Commission has taken into account the reservations and concerns expressed by the Member States during the discussion on the 2001 proposal for a directive, and is putting forward suggestions for alternatives.

Lastly, in The Hague Programme the European Council of 4-5 November 2004 stressed the importance of the debate on the Green Paper which – together with best practices in Member States and their relevance for the implementation of the Lisbon strategy – should be taken as a basis for "a policy plan on legal migration including admission procedures capable of responding promptly to fluctuating demands for migrant labour in the labour market". The Commission will present such a plan before the end of 2005.