

Policy plan on legal migration

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The Council had an exchange of views on the implementation of the European Council conclusions of 14 and 15 December 2006 relating to a Comprehensive European Migration Policy.

In particular, the Council took forward the discussion on migration which was started at the informal Ministerial meeting in Dresden in January 2007 throughout which it was envisaged to:

1. strengthen cooperation with third countries in the fight against illegal migration through the development of incentives to cooperate, partnership agreements on migration and development;
2. promote circular migration by allowing temporary stays for the purpose of work or further training and education.

The discussion focussed on a Presidency note which put forward the following ideas:

- that the countries of origin and transit should be given practical support for capacity-building within the framework of region-specific cooperation platforms for migration and development;
- the appropriate cooperation platforms should be designed on the basis of uniform principles (e.g. regular meetings, ongoing dialogue and exchange of information, monitoring and accompanying evaluation);
- in establishing country-specific migration profiles, particular account should be taken of:
 - causes of migration;
 - own capacity of countries of origin to regulate migration and obstacles in the countries of origin which stand in the way of economic development;
 - and exploitation of the potential which exists in those countries.

The note also suggested that, in concluding partnership agreements on migration and development, the following elements might be considered:

- creation of **temporary residence permits** for work, educational or further-training purposes according to Member States' possibilities;
- granting of **optional quotas for certain sectors of the labour market or education** by the Member States;
- obligation on partner countries to **recognise principles of democracy and the rule of law** as well as **protection of human rights**;
- reliable readmission of own nationals and third-country nationals by the partner countries;
- EU measures to promote reintegration of migrants who have returned to the partner country, and to exploit the knowledge and know-how acquired;
- obligation to create framework conditions in the countries of origin which make it possible to use the development-policy and economic potential of migration in those countries.

The note adverted to the need for reliable guarantees in relation to national competence of Member States for their labour markets.

It should be noted that in December 2006, the European Council invited the Commission to examine by June 2007 how possibilities for legal migration might be incorporated into the EU's policy in the field of external relations, in order to arrive at a balanced partnership with third countries. At the same time, the Commission was also invited to present detailed proposals by June 2007 to better organise legal migration between the EU and third countries and provide information about the various forms of legal migration.

The discussion held by the Council will help the Commission to draft these proposals. The Commission will brief the Council on the state of play of its work on these issues at the next Justice and Home Affairs Council meeting in April 2007.