Basic information

2005/2059(INI) INI - Own-initiative procedure	Procedure completed
Economic immigration: a Community approach **Subject** 4.15.04 Workforce, occupational mobility, job conversion, working conditions 7.10.08 Migration policy	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	KLAMT Ewa (PPE-DE)	21/02/2005

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	The committee decided not to give an opinion.	
DEVE Development	ZIMMER Gabriele (GUE/NGL)	24/05/2005
INTA International Trade	BUDREIKAITĖ Danutė (ALDE)	15/03/2005
EMPL Employment and Social Affairs	The committee decided not to give an opinion.	
CULT Culture and Education	The committee decided not to give an opinion.	
FEMM Women's Rights and Gender Equality	ZÁBORSKÁ Anna (PPE-DE)	20/06/2005

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	2663	2005-06-02

Key events

Date	Event	Reference	Summary
11/01/2005	Non-legislative basic document published	COM(2004)0811	Summary
12/05/2005	Committee referral announced in Parliament		
02/06/2005	Debate in Council		Summary
05/10/2005	Vote in committee		Summary
10/10/2005	Committee report tabled for plenary	A6-0286/2005	
26/10/2005	Decision by Parliament	T6-0408/2005	Summary
26/10/2005	Results of vote in Parliament		
26/10/2005	End of procedure in Parliament		

Technical information

Procedure reference	2005/2059(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/26657

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	FEMM	PE360.194	18/07/2005	
Committee opinion	INTA	PE360.037	02/09/2005	
Committee opinion	DEVE	PE360.137	02/09/2005	
Amendments tabled in committee		PE362.565	08/09/2005	
Committee report tabled for plenary, single reading		A6-0286/2005	10/10/2005	
Text adopted by Parliament, single reading		T6-0408/2005 OJ C 272 09.11.2006, p. 0274-0442 E	26/10/2005	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2004)0811	11/01/2005	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0694/2005 OJ C 286 17.11.2005, p. 0020-0027	09/06/2005	
CofR	Committee of the Regions: opinion	CDR0082/2005 OJ C 031 07.02.2006, p. 0036	07/07/2005	

Economic immigration: a Community approach

2005/2059(INI) - 02/06/2005

The Council held an exchange of views on the Green Paper on an EU approach to managing economic migration, submitted by the Commission on 14 January 2005, and in particular on its implications for the working of domestic labour markets, in the context of the European employment strategy.

The Green Paper concerns admission procedures for the economic migration of third country nationals. It proposes a number of options with a view to the progressive introduction of a Community legislative framework, in accordance with an action plan which the Commission is due to submit this year. The action plan would follow on from the adoption of the Hague Programme, which laid the foundations for progress within the framework of freedom, security and justice.

The aim of the discussion was to enable the Commission to sound out delegations' initial reactions to the questions asked in the Green Paper.

Discussion centred on the following three topics in particular:

1) possible Community measures (for example minimum standards, accelerated admission procedures when there is a shortage of labour in a particular sector, improving the EURES system, etc.) for access by third country nationals to domestic labour markets, also taking into account the need for flexibility in view of the diversity of national situations;

2) the possibility of adopting a sectoral approach to the admission of third country nationals to domestic labour markets with the aim of promoting access by certain categories of migrants according to needs;

3) the need for better coordination of procedures relating to immigration and access to the labour market on the one hand with measures for the social integration of third country nationals in the host country on the other.

During the discussion, delegations acknowledged that the subject of migration warranted action at EU level, insofar as all European Union States were affected when third country nationals entered a Member State. However, action should fully respect the principle of subsidiarity by setting a common framework for some aspects while not encroaching on Member States' responsibility for managing migratory flows.

Economic immigration: a Community approach

2005/2059(INI) - 26/10/2005 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report by Ewa KLAMT (EPP-ED, DE) on economic migration. The final text differed so much from the draft report initially proposed by rapporteur Ewa KLAMT that many members of her political group decided to abstain in the final vote on the text as a whole. The report was adopted by 259 votes in favour, 85 against and 176 abstentions. Parliament rejected a paragraph calling the European Commission to present a proposal on the creation of a Green Card system for economic migrants. (Please see the summary of 05/10/2005.)

Parliament regretted that the Council had decided to maintain unanimity and the consultation procedure in the whole area of legal immigration. Parliament felt that only by means of the codecision procedure will it be possible to adopt effective and transparent legislation in that field.

It recalled that migrants have made a major contribution to the prosperity and the economic, cultural and social development of the Member States, and continue to do so. Economic migration is a positive human phenomenon which has always promoted the development of civilisations and cultural and technological exchanges.

Parliament also regretted that the Council had not yet managed to adopt a common immigration policy, and has concentrated essentially on the punitive aspect (readmission agreements, police checks at borders, etc). It indicated that the effective development of a common migration policy with due regard for fundamental rights and international human rights obligations is a priority goal of European integration. The right to vote is a matter of Member State competence. In order to encourage the social and political integration of migrant workers, they should be granted equivalent rights. Member States, the Commission and the Council are requested to take steps to ensure recognition of the right of migrants who have been continuously resident in the Union for at least five years to vote in local and European Parliament elections. In addition, Member States should create specific residence permits designed to facilitate the search for work.

Parliament emphasised that migration requires a differentiated approach depending on the reasons for entry, such as asylum, flight or economic migration. It insisted on the need to adopt a common immigration policy in order to end the widespread exploitation of workers made vulnerable by the

absence of legal immigration channels. Mass regularisation aims to provide prospects for illegal migrants, but is no substitute for substantial policies for dealing with immigration or an effective means of recruiting economic migrants. Economic migration is part of the solution to the problem of Europe's ageing population and its economic difficulties. However, the problems within the EU labour market should be solved not only by economic migration but also by stimulating innovation and new technologies, increasing productivity and encouraging the employment of older workers in the EU. Parliament called on the Commission and the Member States to launch public awareness and information campaigns on legal immigration policies and their positive impact, notably in order to dispel public anxiety and create a positive image of immigration.

It moved on to call on the Commission to draw up a proposal for a directive laying down minimum and sufficient criteria for admitting third-country nationals into the Union for purposes of employment, the main objective being to open up legal channels for immigration. This legislation should define an overall (rather than sectoral) regulatory framework of reference. Parliament was convinced that it was preferable to put in place one single administrative procedure for issuing an employment and residence permit for an economic migrant. In principle, the admission of an economic migrant under such a system should be linked to the existence of a specific job. However, Parliament asked the Commission to investigate the possibility of issuing special residence permits for jobseekers and the self-employed. Member States were asked to consider the introduction of special combined residence and work permits in order to facilitate the recruitment of workers on a seasonal or time-limited basis. In order to reduce illegal immigration and black labour, the proposal should include provisions enabling migrant workers to enter for the purposes of seeking employment. Parliament called on the Commission to clearly define the rights and obligations of an economic migrant.

Parliament went on to calls on the Commission to propose a regulation to ensure that, following their return to developing countries, economic migrants have access to the money paid by them into European social security schemes. Te host Member States and migrants' countries of origin should conclude agreements to guarantee transfers of entitlements acquired in either country to the other regarding length of service, wherever worked, or social security. Payments transferred by migrants from developing countries to their home countries significantly exceed development aid payments and are of huge importance to achievement of the Millennium Development Goal of eradicating poverty. On the matter of brain drain, Parliament was in favour of encouraging 'brain circulation' by extending the principle of 'Community preference' to those who have already worked for some years in the EU before returning to their own country. It asked the Commission to open a dialogue with countries of origin, in order to achieve balanced legislation that allows migration and enables professional experience to be developed. It also called on the Commission, within the context of this dialogue, to enhance the development of specific measures in the sectors particularly affected by the brain drain, in accordance with the countries concerned.

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.