

## **P6\_TA(2006)0386**

### **EU common immigration policy**

#### **European Parliament resolution on the EU common immigration policy**

*The European Parliament,*

- having regard to Article 6 of the Treaty on European Union and Article 63 of the Treaty Establishing the European Community,
  - having regard to Article 42 of the EU Treaty,
  - having regard to the 1999 Tampere programme and the 2004 Hague programme on the Area of Freedom Security and Justice,
  - having regard to the JHA Council meeting held in Tampere on 20–22 September 2006,
  - having regard to the ongoing discussions on the Financial Framework, including the European Refugee Fund and the European Return Fund,
  - having regard to its resolution of 6 April 2006 on the situation with refugee camps in Malta<sup>1</sup>,
  - having regard to its resolution of 14 April 2005 on Lampedusa<sup>2</sup>,
  - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas seven years after the adoption of the Tampere programme, the European Union does not have a coherent immigration policy, and in particular lacks a legal migration and return policy,
- B. whereas the Common European Asylum System is based on a set of rules from which no participating Member State should have derogations,
- C. having regard to the humanitarian emergency in several Member States situated on the EU's southern external borders, where thousands of migrants have died in the Mediterranean Sea, and the massive influx of immigrants in particular during summer 2006,
- D. whereas the Euro-African Ministerial Conference on Migration and Development held in Rabat on 10 and 11 July 2006 adopted a declaration and action plan,
- E. whereas the mid-term review of the Hague Programme will be completed by the end of this year,
- F. whereas illegal immigration can lead to human exploitation and forced labour,

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<sup>1</sup> *Texts Adopted*, P6\_TA(2006)0136.

<sup>2</sup> OJ C 33 E, 9.2.2006, p. 598.

- G. whereas the Commission's Green Paper on an EU approach to managing economic migration (COM(2004)0811) predicts that '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' and that 'more sustained immigration flows could increasingly be required to meet the needs of the EU labour market and ensure Europe's prosperity',
1. Stresses that increased migration is a global phenomenon with numerous causes and effects and needs a balanced, global and coherent approach;
  2. Is aware that, in the absence of channels for legal migration, asylum systems have come under increasing pressure as a means to legal settlement;
  3. Recognises the human drama and difficulties confronted by a number of Member States in managing the very large migration flows of the last few years; notes, in particular, the problems caused by the worryingly large number of minors among recent arrivals;
  4. Deplores the very substantial humanitarian costs, including the lost lives of immigrants;
  5. Firmly believes that Member States must respect their obligations under Community and international law as regards asylum seekers and migrants;
  6. Considers that the European Union is no place for using people for forced labour and that Member States therefore need to ensure that such practices do not exist;
  7. Insists that Member States ensure access to the asylum procedure and apply the provisions of Directive 2003/9/EC<sup>1</sup> in a coherent and consistent manner, and that asylum claims be processed speedily and efficiently;
  8. Stresses that any comprehensive approach to immigration cannot ignore the 'push factors' that lead people to leave their countries in the first place, owing to which there is a need for real possibilities for legal migration towards the European Union and clear plans for development and investment in the countries of origin and transit, including trade and agricultural policies that promote economic opportunities, not least with a view to avoiding a massive brain drain;
  9. Recalls that a coherent European immigration policy must be accompanied by an integration policy providing for, among other things, proper integration into the labour market, the right to education and training, access to social and health-care services and participation by immigrants in social, cultural and political life;
  10. Reiterates that any decision on loosening rules on immigration in one Member State has a knock-on effect on the situation faced by other Member States, and that Member States have the obligation, in a spirit of loyal cooperation, to consult and inform other Member States of measures likely to have an impact on the immigration situation, as stated in the Parliament's position of 6 July 2006 on the proposal for a Council decision on the establishment of a mutual information procedure concerning Member States' measures in the areas of asylum and immigration<sup>2</sup>;

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<sup>1</sup> OJ L 31, 6.2.2003, p. 18.

<sup>2</sup> *Texts Adopted*, TA(2006)0313.

11. Calls for a partnership approach with the countries of origin and transit to ensure that they play an active part in helping to manage the migration flows, stem illegal immigration and set up effective information campaigns on the conditions in the recipient countries of the EU including the criteria for obtaining asylum;
12. Believes that the sharing of responsibilities and financial burdens between Member States must be an integral part of EU immigration policy and the Common European Asylum System;
13. Calls for a greater role for the European Union in the management of humanitarian emergencies linked to migratory flows and asylum seekers;
14. Believes, therefore, that countries should be given access to the technical assistance and funding provided under the ARGO programme, the European Refugee Fund, the European External Borders Fund, the European Integration Fund and the European Return Fund for the period 2007-2013;
15. Calls for more funding to be made available to NGOs working on the ground, providing critical emergency assistance;
16. Believes that massive immigration is a result of failing economies, impoverishment of the population, human rights violations, environment degradation, the widening gap between rich and poor countries, civil war, wars for control of natural resources, political persecutions, political instability, corruption and dictatorships in many of the countries of origin;
17. Calls on the Commission to propose, as soon as possible, the creation of an emergency fund to finance 'expert support teams' to provide practical assistance for reception at borders and tackle humanitarian crises in the Member States, and to incorporate in the new funds for the period 2007-2013 an emergency mechanism allowing financial assistance to be provided in emergency situations;
18. Urges that the Member States establish access to the asylum application procedure, apply the provisions of Directive 2005/85/EC<sup>1</sup> in a consistent and rigorous manner and ensure that asylum applications are processed swiftly and efficiently;
19. Recognises the need to adopt an equitable EU return directive, and calls on the Council to increase its efforts to ensure its adoption; notes at the same time the failure of the Council, seven years on from the Tampere European Council and despite numerous requests from Parliament, to define a common immigration policy, instead maintaining unanimity and the consultation procedure for all matters regarding legal immigration;
20. Urges the Member States to step up cooperation within the framework of FRONTEX and to better define its mission;
21. Believes, however, that border checks and action to combat illegal immigration can be only one aspect of the EU's policy towards third countries, to which an active country of origin and transit development policy must be applied with a view to minimising the damaging effects of emigration;

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<sup>1</sup> OJ L 326, 13.12.2005, p. 13.

22. Realises that, in the absence of an EU common immigration policy, Member States have different approaches to the problem of hundreds of thousands of illegal immigrants working illegally and without any social protection; believes, however, that regularising illegal immigrants en masse is not a solution in the long term, since such a measure does not resolve the real underlying problems;
23. Stresses that any measures to combat illegal immigration and step up external border controls, even where in cooperation with third countries, must be compatible with the safeguards and the fundamental rights of the individual laid down in the Charter of Fundamental Rights of the European Union and the European Convention for the Protection of Human Rights and Fundamental Freedoms, notably the right to asylum and the right of non-refoulement;
24. Warns against the dangers of externalising the management of the EU's external borders and hopes for better cooperation with countries of origin and transit countries founded above all on respect for fundamental rights, particularly the rights of asylum and of non-refoulement, and on the shared interests of the EU and of countries of origin and transit countries;
25. Considers that the European Union should take a cross-cutting approach; believes that its immigration policy should not only encompass partnership with third countries, the securing of external borders to combat human trafficking and an equitable return policy, but at the same time open up channels for legal immigration, encourage the integration of migrants into the host society and allow co-development of countries of origin in order to deal with the underlying causes of migration;
26. Urges the Commission to take the initiative as soon as possible with a view to revising Regulation (EC) No 343/2003<sup>1</sup>, 'Dublin II', by calling into question its very principle, namely that the Member State responsible for dealing with an asylum application is the first country that applicants reach, which puts an intolerable burden on the countries situated in the south and the east of the EU, and by introducing a fair mechanism for sharing responsibilities among the Member States;
27. Instructs its President to forward this resolution to the Council, the Commission, and the governments and parliaments of the Member States.

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<sup>1</sup> OJ L 50, 25.2.2003, p. 1.