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*Committee on Civil Liberties, Justice and Home Affairs*

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**2010/2269(INI)**

14.1.2011

# **DRAFT OPINION**

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Foreign Affairs

on Migration Flows arising from Instability: Scope and Role of the EU Foreign Policy  
(2010/2269(INI))

Rapporteur: Franziska Keller

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## SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

- A. whereas migration, as a worldwide phenomenon, has contributed to the exchange of ideas and therefore also to the cultural and economic enrichment of the European Union,
  - B. whereas migratory flows have changed their route in the past according to where most pressure was applied, but have never ceased, and whereas migration cannot be stopped, but it can be dealt with to avoid human suffering,
  - C. whereas migration has many reasons, such as fleeing from poverty, injustice, war, persecution, lack of prospects and income, changes in the environment, social situations and unrest, a desire for family unification and hope for a better future, and whereas very often those reasons are intertwined,
  - D. whereas the primary goal of EU policy should be to address the reasons for migration and find durable and sustainable solutions to the challenges that arise from migration,
  - E. whereas most environmentally motivated migrants do not move beyond the borders of their countries or leave their regions and very few actually come to the EU in search of protection,
1. Welcomes the Commission's recent efforts to find procedures for legal migration for non-asylum seekers and urges it to develop further instruments in this direction, taking into account that legal possibilities will also limit organised crime that makes a profit from the necessity for people to move;
  2. Considers that there is a need for further research on climate-induced migration and asks the Commission to address the problem of environmental and climate change forced migration and to consider the possibility of allowing the migrants concerned to qualify for subsidiary protection on a temporary basis until longer-term solutions are found;
  3. Urges the Commission to establish a monitoring system to check compliance with refugees' and asylum-seekers' rights in the performance of entry (and pre-entry) controls under the Schengen Borders Code, so that possible flaws can be promptly detected;
  4. Asks for an open and thorough analysis of the EU's visa policy as a whole to clarify its impact on refugees and asylum-seekers, revealing the pros and cons of the existing system; is of the opinion that where the Member States collaborate with private entities in the visa-issuing procedure, direct access to the Member States' representations abroad should be maintained for refugee visa applicants;
  5. Urges the Commission to develop a permanent monitoring system for all FRONTEX activities linked to managing migration flows; considers that the human rights dimension of FRONTEX operations must be integrated clearly throughout the text of the amended

version of the FRONTEX Regulation, especially the right of a person to leave her/his country, the prohibition of refoulement and the right to seek asylum.