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MOTION FOR A RESOLUTION

further to the Council and Commission statements

pursuant to Rule 37(2) of the Rules of Procedure

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on behalf of the Verts/ALE Group

on immigration and asylum policy

European Parliament resolution on immigration and asylum policy

The European Parliament,

- having regard to the conclusions of the Special Meeting of the European Council at Tampere on 15 and 16 October 1999,
 - having regard to the Commission Communication of 22 November 2000 on ‘A Community immigration policy’ (COM(2000) 757) and to the Commission Communication of 22 November 2000 ‘Towards a common asylum procedure and a uniform status, valid throughout the Union, for persons granted asylum’ (COM(2000) 755),
 - having regard to the Commission’s proposals for the transposal of the decisions of the Tampere European Council and its opinions on these proposals,¹
- A. whereas the Member States agreed at Tampere to ‘establish a Common European Asylum System, based on the full and inclusive application of the Geneva Convention, thus ensuring that nobody is sent back to persecution, i.e. maintaining the principle of non-refoulement’,
- B. whereas, with a view to achieving this objective, the Council was urged rapidly to state its position on the Commission’s proposals in these areas and, in particular, in the short term on ‘a clear and workable determination of the State responsible for the examination of an asylum application, common standards for a fair and efficient asylum procedure, common minimum conditions of reception of asylum seekers, and the approximation of rules on the recognition and content of the refugee status’. This system ‘should also be completed with measures on subsidiary forms of protection offering an appropriate status to any person in need of such protection’,
- C. whereas the Member States have decided to implement a common immigration policy and ‘the European Council acknowledges the need for approximation of national legislations on the conditions for admission and residence of third country nationals, based on a shared assessment of the economic and demographic developments within the Union, as well as the situation in the countries of origin’,

¹ COM(1999)638 Proposal for a Council Directive on the right to family reunification;
COM(2002)225 Amended proposal for a Council directive on the right to family reunification
COM(2001)510 Proposal for a Council Directive on minimum standards for the qualification and status of third country nationals and stateless persons as refugees or as persons who otherwise need international protection;
COM(2001)127 Proposal for a Council Directive concerning the status of third-country nationals who are long-term residents;
(COM(2001) 386 Proposal for a Council Directive on the conditions of entry and residence of third-country nationals for the purpose of paid employment and self-employed economic activities;
(COM(2002) 59 Proposal for a Council Regulation extending the provisions of Regulation (EEC) No 1408/71 to nationals of third countries who are not already covered by these provisions solely on the ground of their nationality;
(COM(2001) 181 Proposal for a Council Directive laying down minimum standards on the reception of applicants for asylum in Member States;
(COM(2000) 578 Proposal for a Council Directive on minimum standards on procedures in Member States for granting and withdrawing refugee status.

- D. whereas the Member States decided at Tampere to grant third-country nationals living in the Union comparable rights to those of EU citizens, i.e. ‘a set of uniform rights which are as near as possible to those enjoyed by EU citizens; e.g. the right to reside, receive education, and work as an employee or self-employed person, as well as the principle of non-discrimination vis-à-vis the citizens of the State of residence’,
- E. whereas the Commission has already presented proposals in all the essential areas of immigration and asylum policy and its opinions have been forwarded to the Council,
- F. whereas the Council has reached no final decisions on these proposals for regulations and directives in the past three years, and whereas the progress of the negotiations leads one to believe that the directives finally adopted by the Council will be dead letters and will refer to national legislation in some of the most crucial areas,
- G. whereas the decisions of the Laeken European Council of December 2001 and the Seville European Council of June 2002 represent a return to a repressive immigration and asylum policy,
- H. whereas legal access to the Union for refugees is rendered almost impossible by the restrictions placed on transport companies, and refugees are increasingly forced to turn to smugglers for help,
- I. whereas the absence of a policy on legal immigration leads to a rise in clandestine immigration, without which many sectors of the economy could not survive,
- J. whereas in 2004 the Union will have 20 Member States, and it is essential to adopt common standards on immigration and asylum policy,
1. Welcomes the Commission’s proposals in the area of immigration and asylum policy, and confirms its opinions on these proposals;
 2. Regrets the fact that, despite the initiatives by the Danish Presidency, the Council has so far been unable to state its final position on these proposals;
 3. Shares the view of the Commission that the existing ‘zero immigration’ policies, which have prevailed for the past thirty years, are no longer the most appropriate ones;
 4. Restates its opinion that the Commission’s political approach to the transposal of the Tampere conclusions is the only way to a common asylum and refugee policy; this presupposes that the Member States:
 - put in place a policy designed to combat the causes of the migrant exodus,
 - declare a one-year moratorium during which they will refrain from tightening their national legislation, thus freeing their hands to agree on a common position on asylum procedures and conditions of admission and a common definition of refugee status in the Union;
 5. Calls on the Council to create a general framework for legal immigration which respects

human rights and takes account of the EU's demographic and economic needs, thus making it easier to combat clandestine immigration;

6. Notes that refugees and third-country immigrants today account for a population of 18 million people in the EU, and calls on the Commission and the Council to promote the social, cultural and political integration of immigrants, refugees and their families;
7. Condemns those political parties and movements that incite racism and xenophobia in society and encourage acts of violence against immigrants and refugees, and calls on the Council and the Member States to combat racism, xenophobia and discrimination against minorities;
8. Instructs its President to forward this resolution to the Council, the Commission and the Member State parliaments and governments.