

# EUROPEAN PARLIAMENT

2004



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*Committee on Development*

**2004/2137(INI)**

21.3.2005

## **OPINION**

of the Committee on Development

for the Committee on Civil Liberties, Justice and Home Affairs

on the links between legal and illegal migration and integration of migrants  
(2004/2137(INI))

Draftsman: Alain Hutchinson

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## SUGGESTIONS

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

1. Points out that the foundations for a common European asylum and immigration policy were laid at the Tampere European Council in 1999; regrets, however, that progress on the policy has not been made as swiftly as expected;
2. Stresses that the effective development of common asylum and integration policies that uphold fundamental rights is a key priority of European integration, as outlined in the Treaty establishing a Constitution for Europe;
3. Emphasises the urgent need for an enlarged European Union with 25 Member States to draw up a real programme for joint action – incorporating measures relating to the management and control of migration flows and the integration of immigrants in the EU – which should include, in particular, the establishment of a common immigration policy;
4. Welcomes the Brussels European Council's adoption of the Hague Programme in its Presidency Conclusions of November 2004, which, *inter alia*, reaffirm the need for a comprehensive approach to international migration, 'involving all stages of migration, with respect to the root causes of migration, entry and admission policies and integration and return policies';
5. Notes that Europe needs legal, controlled economic migration, because, as several studies have shown<sup>1</sup>, the decline in its active population will mean a drop of around 20 million in the number of workers between 2005 and 2030;
6. Considers that responsible migration policy must focus on the adverse impact of skilled emigration on the development of the countries of emigration and believes that the fight against poverty includes the promotion of sustainable development in the countries concerned;
7. Calls for the conclusion of an international agreement between the European Union (EU) and the developing countries to reverse the devastating effects of the brain drain on those countries;
8. Regrets that action taken thus far by the Council and the Member States to control migration flows has taken the form of repressive measures, rather than positive, proactive measures; points out that strategies designed to reduce poverty, improve living and working conditions, create jobs and develop training in migrants' countries of origin help in the long term to normalise migration flows;
9. Expressly rejects once again the idea whereby camps in which immigrants without papers or asylum seekers would be accommodated or detained might be set up outside the EU's

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<sup>1</sup> World Economic and Social Survey 2004

borders, in regions in which immigration originates;

10. Calls for immigrants' human rights to be safeguarded when the policy providing for their return is drawn up, since under no circumstances may their physical or moral integrity be put at risk; in this connection, calls for the concept of 'safe third country' to be revised;
11. Reiterates how important it is to take into account the major effects that the EU's immigration policy will have on the development policies of third countries; highlights the need for this matter to be incorporated into the overall European strategy on economic migration;
12. Emphasises in particular the need for the EU - in the context of the Millennium Objectives - to redouble its efforts to combat poverty in the countries in which migration flows originate by supporting - inter alia - the establishment of a soundly-based education system open to all and the development of local economies;
13. Points out that, since migration flows are also influenced by political developments (as is illustrated by the way in which the number of asylum-seekers in Europe has increased since the early 1990s), the EU must provide greater support for the democratisation process, particularly in sub-Saharan Africa;
14. Considers it essential that information and legal-support programmes should be developed for economic migrants in their country of origin, with a view to making migration a free, informed choice rather than a desperate one, and calls upon the Commission to finance such programmes;
15. Considers that the international community has not yet exploited the potential of immigrants' remittances to their country of origin as a means of supporting its development policies and calls upon the Commission to propose practical ways of facilitating the voluntary transfer of part of an immigrant's earnings to his or her country of origin at minimum cost, as suggested in the Green Paper on economic migration;
16. Draws attention to the damaging effects which migration flows (in particular those involving skilled workers) may have on countries of origin (the 'brain drain' phenomenon) and calls upon the Commission to propose practical ways of compensating non-EU countries for the cost of training skilled migrants who leave their countries for the EU - as suggested in the Green Paper on economic migration;
17. Considers that border checks and action to combat illegal immigration can be only one aspect of the EU's policy towards non-EU countries, to which an active country-of-origin development policy must be applied with a view to minimising the damaging effects of emigration; considers that the EU cannot analyse its immigration policy solely from the point of view of its economic interest but must also take into account the reasons which force migrants to emigrate;
18. Believes that mass immigration is a result of failing economies, human rights abuses, the widening gap between rich and poor countries, civil war, wars for control of natural resources, political persecutions, environment degradation etc;

19. Points out that one of the basic causes of economic migration is the legitimate aspiration on the part of migrants to meet their basic needs and to escape poverty, and calls for Community development policy (the primary aim of which is to combat poverty) to be taken into account in the common policy on migration with a view to supporting the development of non-EU countries as regards access to education and health care, and to achieving the other Millennium Development objectives;
20. Expresses its support for a co-development policy which will help to improve living conditions in the areas in which immigration originates, with a view to eliminating the causes of immigration and facilitating migrants' return;
21. Believes that the overall European strategy on economic migration should focus on organised migration and, in particular, on shoring up bilateral agreements with countries of origin with regard to the management of migration flows; points out that regularisation exercises are important as a means of combating illegal working, integrating illegal migrants into society and preventing them from being exploited, but may have negative effects if they give out the wrong signals to potential illegal migrants;
22. Wishes to highlight the fact that one of the major advantages of bilateral migration-management agreements is that they enable a definite legal status to be granted to migrant workers, who should be treated in the same way as EU citizens as regards - in particular - certain social and economic rights;
23. Points out in addition that concluding bilateral migration-management agreements with countries of origin will enable a proper partnership with those countries to be established in combined efforts to combat illegal immigration and trafficking in human beings (involving in particular more vulnerable groups such as women and children);
24. Calls upon the EU Member States to pursue a joint policy designed to combat illegal immigration, trafficking in human beings and illegal working through coordinated efforts and the exchange of experience, with their approach to be based both on preventing illegal working and on penalising it through the imposition of sanctions on businesses which engage in fraudulent practices;
25. Notes that the lack of an agreement on the transfer and recognition of welfare and pension rights continues to be an obstacle preventing persons from non-EU countries from beginning a new life in their country of origin, and calls upon the Commission to consider this issue when partnership agreements with non-EU countries are being negotiated;
26. Believes that the overall European strategy on economic migration must also focus on active steps to integrate economic migrants socially and culturally into their host countries, at the same time protecting their cultural diversity and taking up the conclusions made by the Commission in its annual report on migration and integration<sup>1</sup>;
27. Urges all the EU Member States to ratify the UN Convention on the rights of migrant workers and their families;

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<sup>1</sup> COM(2004)0508, 16.7.2004.

28. Welcomes the action which the Commission has promised to take with regard to the particular impact which illegal immigration has on outlying regions<sup>1</sup> which, on account of their geographical situation, small size and remoteness, are particularly vulnerable to illegal migration flows;
29. Since over half of migrants are women, calls for the specific needs of migrant women to be taken into account when a general policy on international migration is drawn up and implemented; the gender aspect should be specifically incorporated at all stages of the migration process and particular importance should be attached to women in integration policies;
30. Considers that immigration policy must be incorporated into the EU's social and economic policy and urges the Commission to mount an active information campaign in the EU Member States to highlight the positive effects of immigration and support migrants in their efforts to integrate into their host countries;
31. Agrees with the European Council's strong condemnation (expressed in the Hague Programme) of any form of racism, anti-Semitism and xenophobia, and calls upon the Commission to pursue its proposal whereby the European Monitoring Centre on Racism and Xenophobia would be given a wider remit, so that it could become a Human Rights Agency.

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<sup>1</sup> COM(2004)0343, 26.5.2004, paragraph 2.3.1 (Communication on a stronger partnership for the outermost regions) and COM(2004)0628, 29.9.2004 (proposal for a regulation laying down general provisions establishing a European Neighbourhood and Partnership Instrument)

## PROCEDURE

<b>Title</b>	Links between legal and illegal migration and integration of migrants	
<b>Procedure number</b>	(2004/2137(INI))	
<b>Committee responsible</b>	LIBE	
<b>Committee asked for its opinion</b> Date announced in plenary	DEVE 28.10.2004	
<b>Enhanced cooperation</b>	No	
<b>Drafts(wo)man</b> Date appointed	Alain Hutchinson 6.10.2004	
<b>Discussed in committee</b>	18.1.2005	21.2.2005
<b>Date suggestions adopted</b>	16.3.2005	
<b>Result of final vote</b>	for:	33
	against:	0
	abstentions:	0
<b>Members present for the final vote</b>	Alessandro Battilocchio, Margrietus van den Berg, Danutė Budreikaitė, Nirj Deva, Koenraad Dillen, Fernando Fernández Martín, Michael Gahler, Hélène Goudin, Jana Hybášková, Filip Andrzej Kaczmarek, Glenys Kinnock, Wolfgang Kreissl-Dörfler, Ģirts Valdis Kristovskis, Maria Martens, Miguel Angel Martínez Martínez, Gay Mitchell, Luisa Morgantini, Józef Pinior, José Ribeiro e Castro, Toomas Savi, Pierre Schapira, Frithjof Schmidt, Jürgen Schröder, María Elena Valenciano Martínez-Orozco and Jan Zahradil.	
<b>Substitutes present for the final vote</b>	Marie-Hélène Aubert, Ana Maria Gomes, Fiona Hall, Anne Van Lancker, Manolis Mavrommatis, Mario Mantovani and Gabriele Zimmer.	
<b>Substitutes under Rule 178(2) present for the final vote</b>	Javier Moreno Sánchez	