

Over the last years, **the European Union has been moving towards a holistic approach to migration taking into full consideration the relationship of migration with development.** In a joint declaration by the Council, the European Parliament and the Commission on the European Union Development Policy known as **the European consensus²**, the European Union has stated its intention to **make migration a positive factor for development, through the promotion of concrete measures aiming at reinforcing their contribution to poverty reduction**, including facilitating remittances and limiting the 'brain drain' of highly skilled people.

The European Union has developed over the years a **Common Migration Policy Framework** which is based on the following orientations:

- Strengthening partnership with countries of origin and transit in a true spirit of solidarity and shared responsibility, with a view to promoting the synergies between migration and development;
- Encouraging the use of legal migration channels;
- Supporting Member States to develop integration policies for legally resident Third Country Nationals and providing a fair treatment for them;
- Preventing illegal migration through cooperation in reinforcing European Union borders and combating smuggling and Trafficking in Human Beings;
- Establishing a Common European Asylum System which fully respects international obligations and enables Member States to better manage asylum.

Finally, as **migration policies face an urgent need for better data**, the European Union has launched a number of initiatives in recent years to improve the availability, reliability and comparability of migration statistics in Europe. The European Commission made a recent proposal for a **Regulation on Community Statistics on migration and international protection³**. This proposal contains a set of harmonised definitions taking into account UN definitions, like the definitions of usual residence, immigration and emigration, thus **improving the comparability of European Union data with data and statistics from other regions of the world.**

Moreover, the European Commission has started preparing an ad hoc module of the **European Union Labour Force Survey on the labour market situation of migrants and their immediate descendants.** The module will provide data broken down by sex and thus allow an analysis of the labour market situation of migrant women and men and for the first time, labour market information at European Union level on the immediate descendants of migrants.

ROUND TABLE 1

The effects of international migration on economic and social development

Recognizing the relevance of migration as an element of development for all actors involved, the European Union notes that the links between migration and development are complex, but that migration, when managed effectively, can have a substantial positive impact both for the host country and for the country of origin (European Council Conclusions on Migration and External Relations, Nov. 2005)⁴.

A first **Communication on Integrating Migration issues in the European Union's relations with Third Countries**⁵ was issued in 2002 which takes a comprehensive approach on the interactions between migration and development. This Communication defined certain principles which constitute the basis for actions in that field; in particular, it stated that the long-term priority of the Community should be to **address the root causes of migration flows**.

In 2005, the **European Commission's Green Paper on Economic Migration**⁶ triggered a debate on what rules should apply to the admission of migrants for economic purposes. It has led to new initiatives which the European Commission set out in a **Policy Plan on Legal Migration**⁷ with the objective of setting up new procedures capable of responding promptly to fluctuating demands for migrant labour in the EU.

As legal migration and integration are inseparable and should mutually reinforce one another, the European Commission addressed the question of migrants' integration, following on from its 2003 Communication on **'Immigration, Integration and Employment'**⁸ through a **'Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union'**⁹ based on a comprehensive set of **Common Basic Principles**¹⁰ relating to various dimensions of the integration process. In this Agenda, the Commission also stressed the specific situation faced by immigrant women and emphasized **the adoption of a gender perspective to fully utilize the potential of immigrant women on the labour market**. It also stressed the importance of promoting the gender perspective in immigration and integration policies through Community funding and committed itself to monitor and strengthen gender mainstreaming in related initiatives, including the European Social Fund and the proposed **European Fund for the Integration of Third-Country Nationals**¹¹.

In March 2006, in its Communication **'A Roadmap for equality between women and men, 2006-2010'**¹², the European Commission further identified combating multiple discrimination, in particular against immigrant and ethnic minority women, as a key action to achieve gender equality, within the objective of achieving equal economic independence for women and men. The European Commission recognized that in particular immigrant women and women from ethnic minorities are often victims of double discrimination, thereby calling for the **promotion of gender equality in**

migration and integration policies in order to ensure women's rights and civic participation, to fully use their employment potential and to improve their access to education and lifelong learning.

With its **Communication on the Social Dimension of Globalization**¹³ the European Commission also highlighted the key role of fully addressing migration issues in shaping globalization and of assessing the development impact of migration policies. A **Thematic Program on Human and Social Development**¹⁴ further affects migration incentives through support for the improvement of living and working conditions in developing countries. In line with the 2005 UN World Summit conclusions on human and social development, the European Union is committed in particular to **promote full and productive employment and decent work as central objectives of its development policy.**

In September 2005, a **Communication focusing specifically on 'Migration and Development: some concrete orientations'**¹⁵ proposed a toolbox for improving the linkages between migration and the development of countries of origin by addressing at the same time: **remittances, the role of Diasporas, brain circulation, circular migration and ways of limiting brain drain.** This Communication looks at the issue of how migration-related phenomena can impact on the development of countries of origin.

In the context of negotiations on the **General Agreement on Trade in Services (GATS)**, the European Union has notably taken into account the need for fostering **brain circulation when tabling negotiating proposals to improve the situation as regards the supply of services through the temporary movement of natural persons.** In particular the European Union revised services offer¹⁶, which was tabled in May 2005, seeks to facilitate the supply of services by foreign natural persons who have obtained a contract with a European Union-based customer. It would also make it easier for foreign companies having a commercial presence in the European Union to transfer graduate trainees for the sake of their career development.

These initiatives are to be seen against the background of the **firm commitment of the European Union and its Members States to assist developing countries in achieving the Millennium Development Goals (MDGs)**¹⁷. The European Union considers that better development cooperation, including more finance and improved aid delivery¹⁸, is extremely important, but in itself not sufficient to enable the developing world to reach the MDGs by the year 2015.

The European Union expressed a commitment to **look beyond the frontiers of development cooperation, and consider the challenge of how non-aid policies can assist developing countries in attaining the MDGs.** Twelve priority areas were identified and for each of them a **'policy coherence for development commitment'**¹⁹ was agreed upon.

For migration, the European Union committed itself ‘to promote the synergies between migration and development, and to make migration a positive factor for development.’ This commitment is underpinned by objectives such as the promotion of well-managed international **labour migration** through the development of European Union policy on economic migration, the enhancement of the development impact of **South-South migration**, including through its development assistance, and the facilitation of the efforts of transnational communities or **Diaspora**, to promote the socio-economic development of their countries of origin.

ROUND TABLE 2

Measures to ensure respect for and protection of the human rights of all migrants, and to prevent and combat smuggling of migrants and trafficking in persons

The European Union recognizes the need to protect the human rights of migrants, particularly women, and to ensure coordinated action against illegal migration, trafficking in human beings and people smuggling. It further reiterates the value of joining up work in the field of migration and external relations across interior affairs, foreign affairs and development (European Council Conclusions on Migration and External Relations, Nov. 2005).

The Charter of Fundamental Rights of the European Union²⁰ expressly stipulates that “Trafficking in human beings is prohibited” (article 5 § 3). The European Commission is determined to **fight trafficking in human beings** both through a human rights centered approach and through international cooperation to fight traffickers²¹. It also promotes **gender-specific prevention strategies** as a key element to combat trafficking in women and girls. The **Directive on residence permits for victims of trafficking²²** further provides a new tool for the reintegration of victims through access to the labour market, vocational training and education.

In a recent **Action Plan on best practices, standards and procedures for combating and preventing trafficking in human beings²³**, the European Union supports coordination and cooperation with international and regional organizations and recognizes the importance of international legal instruments, in particular the UN Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

Concerning the **Rights of Asylum Seekers**, the European Union is taking steps towards a **common EU Asylum System²⁴** and has already agreed foundation measures. The Hague Programme – which is the European Union’s work plan for Justice and Home Affairs for the next five years – foresees a fully fledged Common European Asylum System by 2010.

In order to enhance the protection capacity of regions of origin of refugees, where most refugees are located, and better protect existing refugee populations there, the European Commission has also proposed the implementation of **Regional Protection Programmes**²⁵ to help provide durable solutions such as repatriation, local integration or resettlement, in partnership with UN High Commissioner for Refugees, through practically-based projects and funding.

The European Union is determined to **combat illegal immigration in a comprehensive manner**, as this phenomenon puts in question the right of Member States to decide who enters and remains on their territories, and may also endanger the lives of migrants and expose them to exploitation. At the same time, it is **committed to ensuring that fundamental rights of illegal immigrants are respected**. A particular emphasis is given to provisions dealing with procedural safeguards, family unity, and safeguards with respect to detention and coercive measures.

The recent Commission proposal for a **Directive for illegally staying Third-Country Nationals**²⁶ provides for common rules concerning removal, use of coercive measures, temporary custody and re-entry, which fully take into account the human rights and fundamental freedoms of the persons concerned.

Finally, the European Commission has supported the preparation and adoption of the **International Labour Organisation Action Plan on Migrant Workers** by the International Labour Conference in June 2004 as well the **Multilateral Framework for a Rights-Based approach to Migration**²⁷ which has been adopted by the International Labour Organisation Governing Body in March 2006.

ROUND TABLE 3

The multidimensional aspects of international migration and development, including remittances

The European Union agrees on the importance of safer, easier and cheaper channels for remittances, and of enhancing their developmental impact, bearing in mind their private nature, and on the need to facilitate the role of Diaspora as agents of development in their home countries, including through co-development actions, recognizing the importance of early actions which promote integration in this regard (European Council Conclusions on Migration and External Relations, Nov. 2005).

In line with the resolution on remittances adopted by the General Assembly at its 60th Session (A/RES/60/206), the European Commission has put forward a proposal that will allow remittances to benefit from a **modern and harmonized legal framework**²⁸ which will reduce legal compliance costs for payment service providers and foster competition between them in the European Union. Furthermore, it is currently taking action to foster transparency and support **innovative remittances schemes**²⁹.

The AENEAS programme³⁰, established in 2004, provides Third countries with financial and technical assistance in the areas of migration and asylum. Its main objectives are **protecting migrants' rights** against exclusion, discrimination and exploitation; **facilitating the use of legal channels** for labour migration; **fighting against illegal migration** with a particular focus on **trafficking and smuggling** of human beings; **improving the capacity to provide refugees with asylum and international protection**; **facilitating the readmission and social and professional reintegration of returnees**.

The programme promotes the positive outcome of migration on the countries of origin of migrants, for instance through **supporting diasporas' initiatives to contribute to their social and economic development** and **facilitating the use of remittances for productive investments and development initiatives**. It also contributes to limiting or counteracting the negative effects produced by emigration on countries of origin, for instance by preventing brain drain.

From 2007, the AENEAS programme will be superseded by a new **Thematic Programme³¹ for the cooperation with Third countries in the areas of migration and asylum**, which will continue and further develop those activities during the period of 2007-2013.

Aware of the potential risks of the **growing demand for highly skilled migrants** in Europe which may pose a significant challenge to developing countries if not managed properly, notably if it leads to the depletion of scarce human resources in core services such as health and education, the European Commission has called on Member States to **find mechanisms to discipline recruitment³²**. In December 2005 the Commission adopted a **Communication on the crisis in human resources for health³³**, a crisis which would prevent progress towards the Millennium Development Goals.

The Communication highlights the **complexity of addressing the migration of the skilled health workforce**. It identifies the need to support enabling environments, incentives and working conditions in resource poor countries, to help retention, and to look at codes of ethical recruitment, and to minimize the impact of aggressive recruitment practices, which can undermine essential service delivery. It also warns that the lack of a gender perspective can significantly reduce the effectiveness of a health workforce, highlighting for instance the requirement to recognize family needs, to provide adequate security for women who are working in remote and potentially insecure environments, to develop a workforce which reflects differential client needs related to gender, and to train an appropriate balance of male and female health workers. **The health sector represents useful test case for interventions to maximize the benefits and minimize the negative impact of international health worker mobility.**

ROUND TABLE 4

Promoting building partnership and capacity-building and sharing best practices at all levels, including at the bilateral and regional levels, for the benefit of countries and migrants alike

The European Union emphasizes the importance of adequately reflecting migration-related issues in external relations policies as well as in the overall policy framework with Third Countries and in its financial appropriations: the Cotonou Agreement, Stabilization and Association Agreements, Neighbourhood Action Plans and Euro-Mediterranean Association Agreements. The European Union will strengthen its dialogue and cooperation with all these countries on migration issues, including return management, in a spirit of partnership and having regard to the circumstances of each country concerned (European Council Conclusions on Migration and External Relations, Nov. 2005 & European Council Presidency Conclusions, Dec. 2005)³⁴.

Since the 2002 **Communication on “Integrating Migration Issues in the European Union’s relations with Third Countries”**³⁵ significant steps have been taken to mainstream migration issues into development policy and external relations policies. Dialogue and programmes with Third Countries and regional organizations in the field of migration must be part of a **comprehensive approach at Community level which should involve a true spirit of solidarity and partnership.**

In its **European Consensus on Development**³⁶, the European Union argues that **development is the most effective long-term response** to forced migration and destabilizing migratory flows and that the positive impact of migratory phenomena for developing countries must be maximized. The concept of **“migration profiles”** is currently being worked up from the perspective of developing countries to provide assistance to formulation and implementation of migration management strategies.

The European Union is committed in political and financial terms to **building capacity of Third countries.** Given the horizontal nature of migration one major challenge is for Third Countries to find **common objectives and working arrangements between the different national administrations** and all stakeholders. This process should result in the emergence of **national migration strategies and action plans** with a clear time frame and related budget allocations.

Drafted in a participatory way, **national migration strategies** will not only allow for **coordination at national level but also for donor coordination.** The responsibility of donors is to make their expertise available, to share information in a transparent way and to concentrate on the areas where each donor adds real value, while **letting the partner country lead the process.** Thus, capacity building would enable the partner administrations to **assume full responsibility** for all aspects related to migration

management and to engage in dialogue with all stakeholders, including social partners and civil society.

In a **Communication on Priority Actions for responding to the challenges of migration**³⁷, focusing mainly on certain aspects of the management of migration in relation to the Mediterranean area and Africa, the European Commission made a proposal for a better and more coordinated use of existing instruments and policies. This was built on in the **Global Approach to Migration: Priority actions focusing on Africa and the Mediterranean**³⁸, which was adopted by Heads of State and Government of the European Union in December 2005, in view of concrete actions to be implemented in the course of 2006.

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NOTES

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- 3 **COM (2005) 375 Proposal for a regulation on Community statistics on migration and international protection**
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- 4 **EU Council Conclusions – Migration and External Relations, Nov. 2005**
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- 7 **COM (2005) 669 Policy plan on legal migration**
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14 **extending the benefits to all**
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17 **Conditional revised services offer from the EC and its Member States**
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