

European migration policies and their impact on workers

Trade union position papers



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Migration contexts

While some individuals migrate voluntarily, others find themselves obliged to. Some people move to seek employment and other migrate for economic reasons. Other reasons may include studies and joining family members abroad. However, migrate to escape persecution, conflict or terrorism, violation of human rights, climate change, and other natural and environmental factors. The 2020 report by the International Organization for Migration (IOM) indicates that two thirds of international migrants were workers. According to the UN Migration Agency, a migrant is defined as “any person who is outside a state of which he or she is a citizen or national, or, in the case of a stateless person, his or her State of birth or habitual residence. The term includes migrants who intend to move permanently or temporarily, and those who move in a regular or documented manner as well as migrants in irregular situations.”

The 2030 Sustainable Development Plan has recognized the contribution of migration to sustainable development, as 11 of the 17 listed goals are migration-related goals; and the Sustainable Development Agenda addresses migrants. It has focused on facilitating migration and regular, safe, and responsible movement of people through the implementation of immigration policies. The United Nations (UN) defines an immigrant as “a person who has resided in a foreign country for more than a year regardless of the reasons, whether voluntary or forced, and regardless of the means used for migration, whether regular or irregular.”

In light of the great societal challenges the world faces in demography, climate change, security, the global race for talent and inequality, all have an impact on migration. Policy imperatives such as freedom of movement into the Schengen area, the protection of fundamental rights, ensuring security and closing skills gaps require an effective migration policy imposed on the European Union (EU) and its Member States to continue to meet urgent needs, in building a system that manages migration and restores it to normal in the long run and is fully rooted in European values and international law.

Since the ultimate objective of EU migration policy is to ensure that migration takes place in a safe place, in a regular and well-managed manner, and in order to enable the European Union and its partners to meet the challenges of irregular migration and forced displacement and to reap the many benefits of migration, the EU continues to pursue policies to achieve the best outcome for its Member States and partners in a world where irregular migration, forced displacement and legal mobility are an ongoing challenge, by building an effective system that manages migration, guarantees fundamental rights, and attracts much-needed talent and skills.

To ensure that the EU is prepared to assess new trends in migration and asylum and to be prepared to interact with them, to adapt existing regulations, and to develop measures to stop the abuse of the immigration and asylum system by migrants through smuggling and criminal networks, the EU has taken many measures to improve its ability to meet these challenges and to strengthen Europe's ability to manage migration, to provide solutions and legal processes that ensure and protect its borders and facilitate the reception of those who have the right to be received under humanitarian conditions in line with the values and the principles of the European Union.

EU migration policy can be defined as a set of measures and principles used by its member states (a -Vnation economic and political union and one of the largest blocs in the world) with the aim of regulating migration and migrant matters in the EU region.

The present study will identify European policy on migration and its developments and will provide trade unionist and civil society recommendations.



Migration from the south to Europe (numbers)

The EU annually seeks to develop an effective European immigration policy, to control and regulate the huge numbers of migrants as a result of the migration crisis in 2015, including non-EU migrants seeking asylum and economic migrants. The European Commission uses the term migrant to describe “a person from a non-EU country who is proven to be living in a territory within EU countries for up to 12 months.” The migrant crisis to Europe (refugee crisis) began in 2015 with the arrival of large numbers of people in the EU by sea or by land with the asylum crisis in Turkey. In March 2019, the European Commission stated that the refugee crisis was over.

The development, effectiveness, and evaluation of migration policy is based on the collection of current data and statistics on the number of regular and irregular migrants who have crossed the borders of the EU. Migration policy acts as an internationally regulated migration policy because it is linked to crossing state borders. Therefore, such policies will be directly affected by events at the international level.

Official statistics have revealed that at least 4.7 million non-EU citizens are legally resident in EU member states in 2019, which represents about 4.7% of the total EU population. EU member states also issued about 3.0 million first residence permits to non-EU citizens in 2019, including about 1.8 million for at least 12 months. At the peak of the refugee crisis in 2015, 1.82 million illegal border crossings were recorded at the height of the refugee crisis. By 2019, that number had fallen to 142,000. The number of asylum applications peaked at 1.28 million in 2015 and was 698,000 in 2019. On average, about 370,000 international protection requests are rejected each year, but only about a third of these people are repatriated. The EU had hosted about 2.6 million refugees at the end of 2019, equivalent to 0.6% of the EU population.

Arrivals began to rebound with the number of illegal border crossings at all EU external borders in the nine months of 2021 reaching about 120,000, compared to about 77,000 in the same period in 2020 and just above 91,000 in the same period in 2019. The central Mediterranean saw the highest increase (84%) of all routes on the 2021 route. While the total number of arrivals in Malta in 2021 was 470, a decrease of 78% from the same period in 2020, the number should be seen in the context of the sharp increase in arrivals and in Italy with more than 41,000 arrivals, almost half of them from Libya. Migration from Tunisia is also still high compared to previous years, with nearly 40% of irregular jobs representing migrants who have arrived in Italy so far this year.

The total number of arrivals in Spain in 2021 was 25,852 (as of September %54 , (2021 , 19 more than in the same period in 2020). This is mainly due to arrivals in the Canary Islands which makes the presence of migrants in the islands more than the double. The main departure country for migrants arriving to Spain via the western Mediterranean route is Algeria, followed by Morocco. The main departure countries on the Atlantic route to the Canary Islands are Morocco, Mauritania, and Senegal. On the eastern Mediterranean route, the total figure in 2021 was lower than last year, with a significant %58 drop in arrivals to Greece in 2021. On another note, the arrival number of migrants has increased in Cyprus by about %47; as well as a marked increase of %208 in the number of direct arrivals from Turkey to Italy, by 6,175 to Italy from Turkey in 2021, compared to 2,007 in 2020. In Cyprus, to date in 6,026 , 2021 arrivals have been reported in government-controlled areas, 5,413 after crossing the Green Line and 613 directly by boat.

The year 2021 saw a %58 increase in the number of people attempting to cross by sea from North Africa to Europe, reaching nearly 76,000 from January to June, according to the UN's International Organization for Migration (IOM).



The impacts of COVID-19- on migration

According to ILO, COVID - 19 has significantly affected 2. 2 billion workers and economies around the world. The equivalent of 305 million jobs was lost and 436 million companies faced high risks of disrupting their business. Migrant workers and refugees have been particularly affected, as many of them are serving on the front lines and performing key jobs in health care, services, the retail food trade, agriculture, and other sectors.

In addition to high levels of unemployment and the resulting loss of income, migrant workers and refugees face increasing levels of discrimination and xenophobia, food insecurity, and increased risk of virus transmission due to overcrowded or inadequate living conditions and movement restrictions. Moreover, many people were also forced to return to their countries of origin, that are already experiencing high unemployment rates. Migrant workers are also particularly affected by high rates in the informal sector, which tends to be more affected by the pandemic, usually due to neglect of health and safety measures and the lack of social protection in informal contexts.

The decline in remittances is also another serious consequence of the crisis, as this process already affects the families of migrants and the economies of their countries of origin. According to World Bank estimates, global remittances are expected to decline by about %20 in 2020 due to the economic crisis caused by the pandemic and the lockdowns, %19. 6 for the Middle East and North Africa region, 47\$ billion in 2020, after growing by %2. 6 in 2019.

The year 2021 witnessed decreasing levels of remittances and travel restrictions imposed to contain the epidemic also made it difficult to deny returns. As a result, the number of return decisions issued in Member States in 2020 decreased by %19 compared to 2019.

The pandemic has greatly affected migrant arrivals in 2020, both legally and irregularly, and has created many new challenges to immigration management. Similarly, the epidemic has also shown that foreign workers play a key role in the EU economy making legal migration necessary.

A global decline in EU visa applications, with 2. 9 million short-stay visas in member states in 2020, was %83 lower than in 2019. Many member states have taken measures to ensure that third-country nationals are unable to leave the EU because of travel. The epidemic has also led to a temporary suspension in the registration of new asylum applications. The international protection applications residents of EU in 2020 was 485, 000 which is nearly a third lower than in 2019.

Funding rules have also been changed to reduce the risk of delay and to adapt requirements to them, within controls and reviews to allow steps such as more use of digital evidence. The funding was also targeted to meet special needs, with a grant of 25.3 million euros to enhance Greece's ability to respond to COVID-19 in reception facilities and public hospitals, also supported by the Union's Civil Protection Mechanism (UCPM), with contributions from 14 member states.



Traditional mechanisms and policies on migration and asylum

Concerning activities and principles on migration policy, in 2015 the European Commission proposed a system of measures and procedures to improve EU migration policies. A decision was taken to strengthen the EU's presence in the world, supported by the Action Plan against Migrant Smuggling from 2015 to 2020. This action plan promotes the enforcement of judicial activities and the law, improves the exchange and collection of information on migrants, and renounces to cooperation with non-EU states to combat illegal immigration.

The principle of solidarity is one of the main principles of migration policy, expressed with regard to respect for natural human rights and to coordinate social and political forces to resolve migration-related issues. Many Central European countries have unilaterally closed their borders from 2015, stopping people (and imprisoning some of them) at their borders for further investigations into their future intentions and movements, damaging the solidarity of Schengen countries that have abolished passports and immigration controls at their internal common border, as well as violating the Dublin regulation which is an "EU law that defines the EU member state responsible for examining an asylum application, provided by persons seeking international protection under the Geneva Convention and the EU Qualifications Directive, within the EU, which determines procedures for considering international protection applications".

The EU blocked the migration route through the western Balkans, allowing refugees and migrants arriving by legal means from Turkey to enter Europe. Turkey does not allow irregular migrants to cross its borders into Europe and receives migrants who are not allowed to enter the EU.

With regard to the resettlement of refugees in the eurozone, in the ninth month of 2015, EU member states decided to grant national quotas to refugees in Europe, reducing the pressure of migration on Italy and Greece. The resettlement of refugees in the eurozone took into account demographic and economic indicators such as population, unemployment rate, gross domestic product and the number of asylum applications already considered in EU member states.

The EU has a broad regulatory framework through which refugees are distributed in Europe, and is currently using the revised and amended Dublin III Regulation agreement which was implemented by EU member states in 2016. The Dublin regulation aims to quickly identify the country responsible for seeking asylum and provides for the transfer of asylum seekers to that country. According to this convention, refugees cannot choose the country from which they want to ask for asylum and can ask for it only from the country to which they first entered, and similarly if there is a desire to change the state, migrants will have to return to their original point of arrival.

The EU complies with the 1951 UN Convention on the Status of Refugees, the main document for the protection of refugees in addition to the treaty protocol, which removes the temporal and geographical factor from the treaty. It represents the main legislative law that determines the status and rights of refugees in accordance with the legal procedure. The party responsible for organizing cases with refugees is the government, which is obliged to preserve the freedoms and rights of refugees and guides (displaced persons) internally. It is also obliged to monitor the establishment of legal provisions used by all foreigners who have arrived in the foreign country on a common basis.



New Charter on Immigration and Asylum

The European Commission adopted a new migration and asylum charter in September 2020 to ensure a strong and balanced immigration and asylum system in light of future challenges. It builds on a significant increase of migration work in recent years. This has brought investment and operational support to member states under pressure; new tools for stronger external borders and more effective agencies in the EU; and deeper cooperation with key external partners to address the EU's cross-road migration objectives as a whole, as well as new legislative developments.

Rapid change in migration conditions could put considerable pressure on external EU borders. Any member state, regardless of its geographical location, can face complex migration challenges. It could be due to vulnerable people leaving their homes as a result of conflict, climate change, demography, human rights violations, or inability to access their basic needs. A new migration policy has therefore been adopted under a European Migration Charter as a major global effort to address the crisis. The charter presents a framework that addresses the access of men, women, and children to the EU; enhances the EU's ability to effectively manage borders in the fight against migrant smuggling; reduces irregular routes, ensures greater effective return in close cooperation with countries of origin, transit and partner destination; and promote sustainable and secure legal paths. As a result, it can prove to the citizens that migration can be a natural and easy-to-manage part of modern life, which can be dealt with by working in an effective and humane manner.

According to the new charter, a member state should not assume disproportionate responsibility and all member states should contribute to solidarity on a permanent basis. It provides a comprehensive approach, combining policies in the areas of migration, asylum, integration and border management, recognizing that overall effectiveness depends on progress on all fronts. It creates faster and smoother deportations and stronger immigration and border policy management, supported by modern IT systems and more effective agencies. It aims to reduce unsafe and irregular roads and promotes sustainable and safe legal paths for those in need of protection. It reflects the fact that most migrants come to the EU through legal channels, which must better correspond to the needs of the EU labour market. It will strengthen confidence in EU policies by closing the current implementation gap.

In 2017, the EU tightened its immigration policy. In the Brussels summit in October, it was noted that the approach of EU member states and its institutions should be strengthened to ensure full control of their borders. The European Council's findings indicate readiness to respond to and suppress any il/ legal attempts to cross the borders of member states. The process of resolving this issue has been unclear because of the response to migratory flows to the EU, while similarly combating poverty and complying with the principles of protecting the human rights of migrants.

Representatives of the European Commission, along with countries that support and embrace migrant causes, emphasize focusing primarily on the security of migrants as well as fulfilling international obligations. On the other hand, parties opposed to receiving migrants assert that the first priority is the security of the state and its citizens, pointing out that migration can pose a religious, cultural and economic threat to receiving countries. The attitude of national states with migrants who violate public order and impose their own way of life on society has become more stringent, restricting the rights of migrants. There has been a contradiction and inconsistency in the procedures of EU member states, the principle of quota-based refugee resettlement has not proved useful in all EU countries, and there has been inconsistency in the number of admissions of migrants according to 2017 statistics.

For the purposes of designing and developing a new charter, the Commission has held high-level and ad hoc technical consultations with the European Parliament, all member states and a wide range of civil society stakeholders, social partners and companies. The new Charter has been formed through lessons learned from inter-institutional discussions since the commission's 2016 proposals to reform the common European asylum system, maintaining the compromises already reached on current proposals and adding new elements to ensure the required balance in a common framework, combining all aspects of asylum and migration policy, bridging the gaps between the different realities faced by different member states and enhancing mutual trust through effective implementation.

The new charter targets strong and fair external border management, including identity, health and security checks, fair and effective asylum rules and streamlining asylum and return procedures, a new solidarity mechanism in search and rescue situations, pressure and crises, stronger insight, preparedness and crisis response; an effective return policy and a coordinated EU approach to returns, comprehensive EU-wide governance to improve the management and implementation of asylum and migration policies, targeting mutually beneficial partnerships with other countries such as countries of origin and transit, and the development of sustainable legal pathways for those in need of protection and to attract talent to the EU. Support for effective integration policies is added.

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European Framework for Migration and Asylum Management

There is an urgent need for a comprehensive approach that recognizes collective responsibilities, addresses the most fundamental concerns expressed in the negotiations since 2016, handles the implementation gap, follows up on progress since 2016 and also provides a common European framework, better immigration management and asylum management. The European Commission for the Reform of the Common European Asylum System aims to establish a fair and speedy process that ensures access to asylum procedures, as well as equal treatment, clarity and legal certainty for asylum seekers, and address shortcomings upon return.

The committee supports the interim political agreements already reached on the qualification regulation and the direction of reception requirements. These proposals must be approved as soon as possible. The regulation will harmonize the criteria for granting international protection, as well as clarify the rights and obligations of beneficiaries and determine when protection must end, especially if the beneficiary becomes a threat to public security or commits a serious crime. Reformulating the reception requirements directive would bring more consistent rules and improved reception conditions for asylum seekers, including early access to the labour market and improved access to education for migrant children.

The commission also explained that the conditions of reception should be provided only in the responsible member state, which discourages unauthorized movements, and the rules on detention will be clarified. The regulations for the establishment of a full EU asylum agency are another key building block in a coherent and practical system that will bring immediate benefits to its rapid adoption. The proposal for resettlement in the union and the Humanitarian Acceptance Framework Regulation will provide a stable framework for the EU to contribute to global resettlement efforts. The Commission's 2018 proposal to amend the Return Directive remains also a key priority, in order to fill gaps and simplify procedures so that asylum and return become part of a single system.

On new procedures to quickly determine the situation upon arrival

External borders are where the EU needs to bridge gaps between external border controls and asylum and return procedures. This process must be quick, with clear and fair rules for authorizing entry and access to the appropriate procedure. The new policy included a smooth border procedure applicable to all non-EU citizens who cross without permission, including pre-entry checks, asylum procedures and rapid return procedures where necessary - thereby integrating currently separate processes.

The first step must be the pre-examination of entry applicable to all third-country citizens who cross external borders without permission. This examination will include identification, health and security checks, fingerprints and registration in the EURODAC database. It will be a first step in the comprehensive asylum and return system, increased transparency for the persons concerned at an early stage and building confidence in the system. Close cooperation between all relevant authorities, with the support of EU agencies, will be strengthened. The examination will speed up the process of determining the status of the person and the type of procedure to be applied. The examination will speed up the process of determining the person's status and the type of procedure to apply to ensure that all irregular arrivals are tested before legal entry into the territory of a member state. Member states will also need to check if the person is away from border controls but was subsequently identified within the territory of a member state.

The Commission is also proposing a targeted amendment to its 2016 proposal for the new asylum procedure regulation to allow for more effective and flexible use of border procedures as a second stage in the process. Rules on asylum procedures and border returns are grouped into a single legislative instrument. Border procedures allow for rapid tracking of an application process, such as accelerating grounds such as safe home country concepts or safe third countries.

Asylum applications with low admission opportunities must be examined quickly without the need for legal access to the territory of the member state. This applies to misleading claims made by applicants to the authorities, which arise from countries with low recognition rates that are likely not to need protection or pose a threat to national security. While asylum applications made at the EU's external borders must be assessed as part of EU asylum procedures, they do not constitute an automatic right to enter the EU. Normal asylum procedures will continue to apply to other asylum applications and will become more effective, making it clear to those with justified claims. In addition, it should be possible to transfer applicants during border procedures, allowing the proceedings to continue in another member state.

For those whose applications have been rejected in asylum border procedures, the EU procedure applies to return borders immediately. This would eliminate the risk of unauthorized movements and send a clear signal to smugglers. It will be a particularly important tool on roads where there is a large proportion of asylum-seekers from countries with a low recognition rate.

All necessary warranties have been put in place to ensure that each person receives an individual assessment and that the basic guarantees remain complete, with full respect for the principle of non-refoulement and fundamental rights. Special attention to the needs of the most vulnerable may include a general exemption from border procedures where the necessary protections cannot be secured. To ensure effective access to asylum procedures and respect for fundamental rights, member states, which work closely with the Basic Rights Agency, are establishing an effective monitoring mechanism, which is already in the screening phase as additional guarantee.

The new procedures allow asylum and immigration authorities to evaluate applications with strong foundations more efficiently, make faster decisions, and thus contribute to better and more credible performance of asylum and return policies. This will be beneficial to both member states and the EU.

The Asylum Procedure Regulation also establishes an accessible, effective and timely decision-making process, based on simpler, clearer and shorter procedures, adequate procedural guarantees for asylum seekers, and tools to prevent circumvention of restrictions. It will be a greater degree of coordination between the safe country of origin and the concepts of a safe third country through EU lists, and the identification of countries such as those in the Western Balkans, will be particularly important in the ongoing negotiations, based on previous discussions between institutions.

A common framework for solidarity and shared responsibility

Drawing on the experience of negotiations on 2016 proposals to reform the common European asylum system, it is clear that an approach beyond the limits of the current Dublin Regulation is needed. The rules for determining which member state is responsible for seeking asylum must be part of a common framework, and provide smarter and more flexible tools to help member states facing the greatest challenges. The commission will therefore withdraw its 2016 proposal amending the Dublin Regulation to be replaced by a new, broader tool for a common framework for the Department of Asylum and Immigration - the Asylum and Immigration Department Regulation. This reform is urgent and political agreement on the basic principles must be reached by the end of 2020.

This new common framework defines the principles and structures for an integrated approach to immigration and asylum policy, which ensures equitable sharing of responsibility and effectively addresses mixed access to people in need of international protection from those who are not. This includes a new solidarity mechanism to establish equity in the EU asylum system, reflecting the various challenges created by different geographical locations, and ensuring that everyone contributes through solidarity so that the real needs created by irregular migrants and asylum seekers are not addressed by individual member states, but by the EU as a whole. Solidarity means that all member states must contribute, as the European Court of Justice has made clear.

The new solidarity mechanism focuses mainly on resettlement or ensuring return. Under the auspices of return, Member States will provide all necessary support to the member state that is under pressure to quickly return those who do not have the right to reside, with the supporting member state taking full responsibility if the return does not take place within a specified period. Member states can focus on nationalities that see a better chance of return.



Each member state must contribute to transportation and/or return to care for the distribution key to be applied, member states have the flexibility to decide whether to participate in their efforts between the persons to be transferred and who will return to them and to what extent the care will be applied. There will also be the possibility of contributing through other forms of solidarity such as capacity-building, operational support, technical and operational expertise, as well as support for external aspects of migration. While member states always leave viable alternatives to resettlement, the safety net will ensure that pressure on the member state is effectively alleviated by resettlement or return care. The specific situation of search and rescue issues, particularly vulnerable groups, should also be recognized.

The Commission has developed a set of expected solidarity measures, consisting mainly of deportations, referred to annually by Member States, based on the Commission's short-term projections of expected landings on all roads as well as vulnerable groups expected to need resettlement.

Current rules on the transfer of responsibility for examining the application for international protection among member states can act as an incentive for unauthorized mobility, particularly when the shift of responsibility results from the applicant's conduct (e.g., when the applicant flees). The system therefore needs to strengthen and fill gaps. While current liability standards will continue to be applied, the rules on the responsibility to examine the international protection request must be improved to make the system more efficient, discourage violations and prevent unauthorized movements.

Under the new standards there must also be clear commitments to the applicants, and specific results if they do not comply. The additional step would be to amend the long-term resident directive so that beneficiaries of international protection have an incentive to remain in the member state that had granted international protection, with the possibility of obtaining long-term residence status after three years of legal and continuing residence in that member state. This would also help to integrate them into communities.

Mutual trust through strong governance and implementation control

For border management and asylum and return policies to be effective, they must work well at the national level and help the integration of migrants at the local level. National policies must therefore be coherent with the comprehensive European approach. The new Asylum and Immigration Department regulation will seek to achieve this through closer European cooperation. It will improve planning, preparedness and monitoring at the national and EU levels.

The structured process provides EU assistance so that member states can help one another build an effective and flexible system with national strategies. A European strategy would guide and support member states. The Commission will also prepare a readiness and emergency report, based on the reports of member states on an annual basis. This will bring a forward-looking perspective on addressing the risks and opportunities of migration management, to improve both capacity and readiness to respond. The key to confidence in EU and national policies is consistency in implementation, which requires enhanced monitoring and operational support from EU agencies. This includes the Committee's most systematic monitoring of both current and new rules, including violation procedures.

Immigration management quality control systems, such as the Schengen Assessment Mechanism and vulnerability assessments of the European Border and Coast Guard Agency (Frontex), play a key role. Another important step will be the future monitoring of the asylum regulations included in the recent settlement on the proposal for the new EU asylum agency. The new mandate will respond to the growing need of Member States for operational support and guidance on the implementation of common rules on asylum, as well as greater convergence. It will enhance mutual trust through new monitoring of asylum and reception systems in Member States and through the Committee's ability to make recommendations with assistance measures. This legislation should still be adopted this year to allow this practical support to be available quickly, recognizing that new structures such as surveillance may need some time to be developed.

Supporting children and the vulnerable

The EU's asylum and immigration management system needs to meet the special needs of vulnerable groups, including through resettlement. This committee has identified the needs of children as a priority, as boys and girls in migration are particularly at risk. This will be fully taken into account in broader initiatives to promote children's rights and interests, such as the Children's Rights Strategy, in line with international law on the rights of refugees and children and with the EU Charter of Fundamental Rights.

The purpose of reforming EU rules on asylum and return is an opportunity to strengthen safeguards and protection standards under EU migrant children's law. The new rules will ensure that the best interests of the child are the primary consideration in all decisions concerning migrant children and respect for the child's right to be heard. Representatives of unaccompanied minors must be appointed faster and adequately resourced. The European Guardianship Network ¹ must be strengthened and play a stronger role in coordination, cooperation and capacity-building for guardians. Unaccompanied children and children under the age of 12 with their families should be exempted from border procedures unless there are security concerns.



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In all other relevant asylum procedures, procedural safeguards for children and additional support should be provided effectively. The system must be geared to reflect the special needs of children at each stage, provide effective alternatives to detention, promote rapid family reunification, and ensure that the voice of child protection authorities is heard. Children must receive adequate housing and assistance, including legal aid, at all stages of the status procedure. Finally, they should also have quick and non-discriminatory access to education and early access to integration services.

The risk of trafficking along migration routes remains high, particularly the risk that women and girls will become victims of trafficking for sexual exploitation or other forms of gender-based violence. Human trafficking networks violate asylum procedures and use reception centres to identify potential victims. Early identification of potential non-EU victims will be a specific theme of Commission's next approach to eliminating human trafficking, as stipulated in the Union's recent security strategy.

An effective and common European return system

EU immigration rules can only be credible if those who do not have the right to remain in the EU are effectively returned. At present, about one third of the people who have been ordered to return from member states are actually leaving. This undermines citizens' confidence in the entire asylum and immigration management system and serves as an incentive for irregular migration. It also exposes those who reside in irregular ways to risky conditions and exploitation by criminal networks.

The effectiveness of returns today varies from one member state to another, largely based on national rules and capabilities, as well as on relations with certain third countries. There is a need for a common EU system of return that combines stronger structures within the EU with more effective cooperation with third countries on return and readmission. It must be developed based on the reformulation of return guidance and effective operational support including through Frontex. This approach will benefit from the process proposed under the Asylum and Immigration Department regulations to identify measures if necessary to stimulate cooperation with third countries. The EU's common return system must integrate the welfare of return and support its successful implementation.

The key to achieving an effective EU return system is the 2018 proposal to reformulate the return directive. This would bring major improvements in the management of return policy. It would help prevent and reduce escape and unauthorized movements, with common criteria for assessing each case and the possibility of using detention for public order and security concerns. Subsidized voluntary return programs will be strengthened as the most effective and sustainable way to promote return. It will also improve delivery, with specially designed IT tools and a clear commitment to those in the procedure to cooperate, as well as speed up procedures.

An effective system of ensuring return is a shared responsibility and needs strong governance structures to ensure a more coherent and effective approach. To this end, the Commission has therefore appointed a return coordinator, supported by a new high-level return network. The Coordinator provides technical support to combine the threads of the Return Policy in the European Union, build on the positive experiences of member states in managing returns and facilitate the smooth and coherent implementation of the return process.

This new mechanism has provided strategic focus through an operational strategy on returns. Return is more effective when it is made voluntarily and accompanied by strong reintegration measures. Promoting voluntary return is a key strategic objective, reflected in the Commission's 2018 proposal on return guidance as well as in the upcoming strategy on voluntary return and reintegration. The European Strategy sets out new approaches to designing, strengthening and implementing voluntary return and reintegration plans, setting common goals and strengthening cohesion between EU and national initiatives and national schemes. This work could also depend on the enhanced mandate on the return of European borders and the Coast Guard.

Strong crisis preparedness and response system

Thanks to the development of a crisis risk protection framework, the Joint Framework for Asylum and Migration Management of the EU has been developed in a way that enhances preparedness and makes solidarity a permanent feature. This framework has been provided to address crisis situations and force flexibility, knowing that different types of crises require diverse responses. The effectiveness of the response can be improved through preparation and foresight. This needs an evidence-based approach, to increase expectation and help prepare EU responses to key trends.

A new migration and crisis preparedness scheme have been issued to help move from interactive to situation-based on readiness and prediction. It will combine all current crisis management tools and identify key institutional, operational and financial measures and protocols that must exist to ensure preparedness at the EU and national levels. The scheme requires continuous expectation and monitoring of member states' capabilities and provides a framework for building flexibility and organizing a coordinated response to the crisis.

At the request of a member state, operational support is deployed, both from EU agencies and by other member states. This would build on the hot spot approach and benefit of the recent experience of crisis response and civil protection. This mechanism is intended to serve as an important operational support for the EU's ability to respond under future arrangements. It will identify a package of measures that can be used to address crises involving a large number of irregular arrivals. However, experience tells us that we also need to add a new item to the toolbox.

The Charter provides for temporary and exceptional measures to address crises aimed at providing flexibility for member states to respond to crises and grant immediate protection status in crisis situations, as well as ensuring that the solidarity system established in asylum and new immigration management regulations adapts well to a crisis characterized by a large number of irregular arrivals. The circumstances of the crisis require urgency, and therefore the solidarity mechanism must be stronger, and the time frames governing this mechanism must be reduced. It also expands compulsory transfer, for example for applicants and beneficiaries of immediate protection and the return of sponsorship.

In situations of crisis of serious magnitude, which may overwhelm the asylum and immigration systems of Member States, the practical difficulties faced by Member States are recognized through a limited margin of temporary abandonment of normal procedures and timetables, while ensuring respect for fundamental rights and the principle of non-refoulement.

Protection, equivalent to sub-protection, can also be granted immediately to a predetermined group of persons, particularly those at exceptionally high risk of indiscriminate violence due to armed conflict in their country of origin. In view of the evolution of the concepts and rules of rehabilitation for international protection, and in view of the fact that the new European Charter sets rules for granting immediate protection in crisis situations, the temporary protection directive has been abolished.

Escalating the effectiveness of EU external borders

The EU's external border management is a shared responsibility of all Schengen member states and countries, and the EU and its agencies. This also means that in the event of shortcomings, the impact is dual, presenting an additional challenge to the Member State concerned, and consequences such as unauthorized moves affecting the credibility of the entire EU system. Effective management of the EU's external borders is an essential element of the Schengen area without internal border controls. It is designed to prevent fragmentation and ensure consistency between different EU policies.

The Commission launched the preparatory process with the aim of presenting the multi-year strategic policy document and implementation cycle in the first half of 2021. This session included a unified framework for providing strategic guidelines to all relevant European and national border management and return actors, through linked strategies: a technical and operational strategy for the EU developed by Frontex, and national strategies by member states. This allows all relevant legal, financial and operational tools to be coherent, both within the EU and with external partners.



Interoperability has linked all European border, migration, security and justice systems, ensuring that all of these systems ‘talk’ to each other, and that no examination is missed because of unrelated information, given that national authorities have full, reliable and accurate information, as serious attempts to cross the Mediterranean continue to bring significant risks and fuel criminal networks. The deportation of migrants has a significant impact on asylum, migration and border management, particularly on coastal member state. It is clear that the development of a more coordinated approach to the development of search and rescue practices, on the basis of solidarity, is critical as it includes identifying the specifics of search and rescue within the legal framework of the European Union for Migration and Asylum. Since January 2019, at the request of member states, the Commission coordinated the transfer of more than 1,800 people who had been disembarked after rescue operations by private ships. While the Commission continues to provide operational support and proactive coordination, a more predictable solidarity mechanism was needed to remove, and the new Asylum and Migration Administration Regulation helped through post-landing resettlement after search and rescue operations, and the EU strengthened cooperation with states of origin and transit to prevent dangerous journeys and irregular crossings, including anti-migrant smuggling partnerships.

New Schengen policy works well

The Schengen area is one of the main achievements of European integration. However, it has been under pressure because of difficulties in responding to changing situations at the union’s borders, gaps and lacunae, and the varying asylum, reception and national return systems, all of which have exacerbated many problems. Screening procedures, borders, enhanced external borders, and more consistent asylum and return procedures under the more integrated approach to the common framework have added the need and burden for a significant strengthening of the area.

The fight against migrant smuggling

Smuggling involves the systematic exploitation of migrants, and therefore pursuit of profit with little respect for human life. This criminal activity harms the humanitarian objectives and the objectives of the EU’s Migration Department. The new EU Action Plan 2025–2021 to combat migrant smuggling focuses on combating criminal networks, in line with the EU’s security union strategy, strengthening cooperation and supporting the work of law enforcement agencies to tackle migrant smuggling, which is also often linked to human trafficking. The action plan was therefore based on Europol, its European Migrant Smuggling Centre, Frontex, Eurojust and the European Union Law Enforcement Training Agency. Enhanced inter-agency cooperation handles financial investigations, asset recovery, fraud documentation and new phenomena such as digital smuggling.

Current rules of repression of migrant smuggling have proved to be an effective legal framework to combat those who facilitate unauthorized entry, transit and residence. Finding work in the EU without the required legal status is one of the engines of smuggling into the EU. The Committee will assess how effective employer sanctions are directed and assess the need for further action. The Commission is also working with the European Labour Authority to coordinate the efforts of national authorities and ensure the effective implementation of the directive, which is indispensable for deterring irregular migration by ensuring an effective ban on the employment of third-country citizens living illegally.

Combating smuggling is a common challenge that requires international cooperation and coordination as well as effective border management. The July 2020 ministerial conference between the EU and African partners confirmed the mutual determination to address the problem. The new EU Action Plan against Migrant Smuggling stimulates EU-third-country cooperation, through meaningful partnerships to combat migrant smuggling, as part of broader partnerships with key third countries. This will include supporting countries of origin and transit in capacity-building in terms of law enforcement frameworks and operational capacity, and encouraging effective action by the police and judicial authorities. For the above purposes, the EU is also working to improve the exchange of information with third countries and work on the ground, by supporting joint operations and joint investigation teams, as well as information campaigns on the risks of irregular migration and legal alternatives.

Joint security and defence policy operations and missions continue to make an important contribution, with the fight against irregular migration or smuggling of migrants' part of their mandates. Complementing current missions, such as the EUCAP mission in Niger Sahel region and EUBAM in Libya, Operation EUNAVFOR MED IRINI is now under way in the central Mediterranean and is helping to disrupt smuggling networks.

In fact, the majority of migrants make their journeys in a regular and safe manner, and well-managed migration, based on partnership and shared responsibility, can have positive effects on countries of origin, transit and destination alike. In 2019, there were more than 272 million international migrants, with most migration occurring among developing countries. Demographic and economic trends, political instability and conflict, as well as climate change, suggest that migration will remain a major phenomenon and a global challenge in the years to come. Well-functioning immigration policies are in the interest of partner countries, the EU, refugees and migrants themselves.

For the purposes of combating migrant smuggling, cooperation with partners must be made on the basis of bilateral participation first and foremost, as well as regional and multilateral commitment. Migration is central to the EU's comprehensive relations with countries of origin and transit as the main partner. Both the EU and its partners have their own interests and tools to act. Comprehensive, balanced and tailored partnerships can provide mutual benefits in the economy, sustainable development, education, skills, stability, security and relationships with expatriates.

This approach needs to be deployed in a wide range of policies, and European institutions to that end have the flexibility to be tailor-made and adaptable over time. Dealing with various policies such as development cooperation, security, visas, trade, agriculture, investment and employment, energy, environment and climate change, education, without being isolated from others; participation at the EU level and effective coordination between the EU Member States and partners are necessary at all levels: bilateral, regional and multilateral. Experience has shown that the full participation of Member States in EU migration partnerships, including through the pooling of funds and expertise across the EU's various trust funds, is the key to success.

The EU has worked on active partnerships with UN bodies and close cooperation with its agencies. Africa, the Caribbean and the Pacific are particularly important in formulating and effectively activating migration cooperation.

Funding to meet immigration targets

EU funding for refugees and non-EU migration issues, which has reached more than 9€ billion since 2015, has proved indispensable to achieving EU migration targets. In July 2020, the European Council stressed that this should be developed more and more co-ordinately in programs through EU budget-related addresses.

Protecting migrants and supporting host countries

The work of the EU depends on meeting the humanitarian needs of humanity, impartiality, neutrality and independence. It is estimated that more than 70 million men, women and children have been forcibly displaced worldwide, with nearly 30 million refugees and asylum seekers.



The EU can build on a track record of cooperation with a wide range of partners in providing such support. The humanitarian evacuation of people from Libya to emergency transit mechanisms in Niger and Rwanda for subsequent resettlement has helped the most vulnerable to escape desperate conditions. Assistance to refugees affected by the Syrian crisis and their host countries will continue to be necessary, with millions of refugees and their host communities in Turkey, Lebanon, Jordan or Iraq benefiting from daily support, through dedicated tools such as the European Union Refugee Facility in Turkey and the European Union Regional Trust Fund for responding to the Syrian crisis. As emphasized in December 2019 at the World Refugee Forum, the EU is determined to maintain its strong commitment to providing life-saving support to millions of refugees and displaced persons, as well as promoting solutions geared towards sustainable development.

Building economic opportunities and addressing the root causes of irregular migration

The EU is the world's largest provider of development assistance, including migration issues. Work to build stable and cohesive societies, to reduce poverty and inequality, promote human development, jobs and economic opportunities, promote democracy, good governance, peace and security, and address the challenges of climate change is needed. It also contributes to harnessing many other policies to help build stability and prosperity in partner countries through conflict response, conflict prevention and resolution programs, as well as peace, security and governance, and trade and investment policies that contribute to addressing root causes by creating jobs and perspectives for millions of workers and farmers around the world. In addition, the potential for remittances is better exploited in economic development. Cooperation in education, skills and research, as well as in policies such as digital, energy or transport, also helps deepen economic development. The EU will use these policies where appropriate to engage with partner countries under the new Charter.

Partnerships to strengthen immigration governance and management

EU partners support the development of capable management and effective migration management as a key element of the mutually beneficial partnerships that the EU seeks to develop. The EU can support capacity-building in line with the needs of partners, helping partner countries manage irregular migration, forced displacement and combat migrant smuggling networks. The dissemination of tools such as strategic communication is seen more as providing information on legal migration opportunities and explaining the risks of irregular migration, as well as combating misinformation. In addition, depending on contexts and conditions, the EU can help partner countries enhance border management capabilities, including by enhancing search and rescue capabilities at sea or on the ground, through well-functioning asylum and reception systems, or by facilitating voluntary procedures; return to third countries or integrate migrants.



The EU works to cooperate with partner countries in migration governance to ensure that the rights of migrants and refugees are protected, that discrimination and exploitation are fought, and that their basic needs are met through the provision of basic services. The support may also aim to maximize the positive impact of migration and reduce negative consequences for partner countries, for example by reducing remittance transfer costs, reducing «brain drain», or facilitating circular migration. Member states have a key role to play in providing this practical support, through fruitful cooperation in the fight against migrant smuggling, where joint investigation teams benefit from the practical experience of national departments.

Strengthening cooperation on readmission and reintegration

The MIPEX is a unique tool that measures policies on the integration of migrants across five continents, including all EU member states and other European countries such as the United Kingdom, Russia, Turkey, Switzerland, Ukraine, Serbia, Albania, Iceland, North Macedonia, Norway and Moldova, as well as Asian countries such as India, China, Japan and South Korea, as well as North American countries such as Mexico, the United States, Canada and, finally, Oceania as Australia and New Zealand.

Policy indicators have been developed to create a multidimensional and rich picture of immigrants' opportunities to participate in other communities. The Migrant Integration Policy Index (MIPEX) now covers the period from 2007 to 2019 and is a useful tool for comparing and evaluating the performance of governments to promote the integration of migrants in all countries analysed. This project informs and engages key policy actors on how indicators are used to improve integration (governance) management and the effectiveness of associated policies. Therefore, this project identifies and measures integration policies and identifies the links between integration policies and their results and the interaction of people and their opinions (public opinion) based on international scientific studies.

MIPEX has been recognized as a common quick reference guide across Europe thanks to the validity and accuracy of its indicators, with policymakers, NGOs, European and international institutions and researchers using its data not only to compare and understand national integration policies, but also to improve standards of treatment on an equal footing. The Joint Research Centre of the European Commission has compared it with other indicators and has concluded that there is no other indicator that provides the same results and scope of coverage as it currently provides.

MIPEX aims to address the great efforts and suffering of migrant integration actors to find comprehensive, up-to-date research data and digital analyses that can be used and based on policies, proposals and projects for change to achieve equality in their country, so the Migrant Integration Policy Index aims to provide a comprehensive tool that can be used to evaluate, improve and compare integration policy, including 52 countries, to provide a clear vision of integration policies across a wide range of different environments.

This indicator is an inspiration for action for civil society, as the index data has been used by civil society to conduct assessments of proposed legislation on the integration of migrants.

Under the new European Asylum and Migration Policy Charter, the EU seeks across lines of action such as creating economic opportunities, increasing stability or tackling migrant smuggling to reduce the number of irregular arrivals to the EU and the numbers of those in the EU who do not have the right to remain. However, for those who do not have the right to stay, an effective return system has been worked out. Voluntary return options are also in place within the framework of working closely with countries of origin and transit as a prerequisite for a well-functioning system of return, readmission and reintegration, which requires a new campaign to improve cooperation on readmission with third countries, and to complement them with reintegration cooperation, to ensure the sustainability of returns.

Using visa policy to reduce unfounded asylum applications from visa-free countries is another approach, noting that nearly a quarter of asylum applications received by member states were submitted by applicants who could enter the Schengen+ visa-free area. Further cooperation and information sharing would help detect visa abuse. The visa suspension mechanism provides a systematic assessment of countries that do not require a visa against criteria including the risks of irregular migration and arbitrary asylum applications. This could eventually remove third-world countries from the list of countries that do not require a visa. It should be noted that EU policies consider that an important component of the future voluntary return and reintegration strategy is the development of new approaches in third-world countries, including better linkages with development initiatives and other national strategies, to build their capacity.

Frontex supports voluntary return and departures and in 2021 from September 2021⁵, Frontex's easy returns were made, all via magdalene flights. Recent events on external borders have confirmed Frontex's key role in assisting member states, promoting, coordinating and contributing to the joint development of integrated border management with the European Union. A strong, effective and well-functioning European border and the Coast Guard must be a common goal of the EU, the European Parliament, the Council and the Commission have a role to play in ensuring an effective and accountable agency. Member states also play a key role through the Board of Directors to ensure the agency's interest governance, good management and full transparency, all of which are more important than the agency increasing responsibilities.

Developing Legal Pathways for Europe / Legal Migration

Legal migration can benefit societies and minorities while member states reserve the right to determine the size of admission of people from third countries to seek employment, the EU's common migration policy needs to reflect the integration of the EU economy and the interdependence of labour markets in member states. That is why EU policies need to promote equal opportunities between national labour markets as migration destinations. They must also help member states use their EU membership as a basis for attracting talent.

Resettlement is a proven and tested way to provide protection to the most vulnerable refugees. Recent years have already seen a significant increase in resettlement in the European Union, and this work should be increased. The Commission recommends formalizing the scheme for some 29,500 resettlement places already being implemented by member states, and to cover a two-year period, 52 2021–2020 (due to the COVID - 19, this will not be possible to meet all resettlement pledges during 2020).

To ensure a smooth continuation of EU resettlement efforts after 2021 and to emphasize the EU's global leadership in resettlement, the Commission has invited member states to make commitments from 2022 onwards. This will be supported by the EU budget and will include complementary protection pathways, such as humanitarian admission plans and measures such as study or work-related plans. The EU will also support member states that want to create community or private care plans through funding, capacity-building and knowledge sharing, in collaboration with civil society, with the aim of developing a European model of community care, which can lead to better integration outcomes in the long run.

The EU is also working with its partner countries on legal routes to Europe as part of migration partnerships, opening the way for cooperation in schemes to match people, skills and labour market needs through legal migration. At the same time, these legal pathways are intended to contribute to reducing irregular migration, which often leads to undeclared work and exploitation of workers in the EU. To this end, the Commission strengthens its support for member states to expand legal migration with partner countries as a positive incentive and in line with EU skills and labour market needs, with full respect for the competencies of Member States.

In support of this approach, pilot legal migration projects have shown that by providing targeted support, the EU can assist member states in implementing schemes that meet the needs of employers. The EU has also opened Erasmus+ and vocational training for third-world country citizens and provided grants to support diaspora mobilization. However, the scope and ambition of current schemes remains limited. An enhanced and more comprehensive approach would provide cooperation with partner countries and help promote mutually beneficial international mobility.

The European Commission has launched talent partnerships in the form of an enhanced commitment to support legal migration and mobility with key partners, providing a comprehensive framework for EU policy as well as funding support for cooperation with a third country, with the aim of better matching the EU's work and skills needs, as well as being part of the EU's toolkit to strategically engage partner countries on migration. There should be strong participation of member states, as well as the participation of the private sector and social partners. Talent partnerships provide a single framework for mobilizing EU and member states tools, where EU funding flows in foreign relations, home affairs, research and education (Erasmus+) and pool partnerships between direct support for work or training mobility plans while building capacity in areas such as the labour market or skills intelligence, education and vocational training, and integrating returning migrants can all focus more on the ability of education to help support and promote investment in local skills.

Attracting skills and talent to the EU

The expected structural pressure on the European continent and the resulting labour market as a result of the continent's ageing and the expected skills shortages in various regions and sectors such as health, medical care and agriculture make it necessary to recognize the contribution of legally resident migrants to reducing skills gaps and increasing the dynamics of the EU labour market. In 2018, EU member states issued more than 775,000 first residence permits to third world citizens for employment purposes, with workers from third countries filling the main shortage of occupations across member states, including those that were essential to the pandemic.

To address shortcomings, and in response to the overall goal of attracting the talent the EU needs, the Commission is facilitating the admission of workers of various skill levels in the EU and to move within the EU for third-country workers already in the EU. It also supports a review of the long-term residents' directive, which is not currently adequately used and does not provide an effective right to move within the EU, to achieve the goal by establishing a real long-term residence status in the EU, particularly by promoting the right of long-term residents to move and work in other member states. Individual authorization, ways of simplifying and clarifying the scope of legislation, including admission and accommodation requirements for low- and middle-skilled workers, are also being reviewed.

EU Blue Card

The EU has announced new facilities for living and working in Europe. The European Council adopted new rules on October 2021 ,7, to attract and retain highly qualified (non-EU) workers, especially in sectors with a shortage of labour and skills required within EU member states. The EU Blue Card Directive was first adopted in 2009. The Commission proposed reforming the rules in 2016.

The EU Blue Card Directive also meets the entry and residence requirements of highly qualified workers from non-EU countries through:

- Developing more comprehensive admission criteria
- Facilitating internal movements in EU member states
- Facilitating family reunification procedures
- Simplifying procedures for recognized employers
- Giving a high level of access to the labour market
- Accordingly, highly qualified and qualified workers from non-EU countries can apply for the EU Blue Card, which allows them to live and work in the EU.

Applicants must therefore:

- Have a valid employment contract or binding employment offer for highly qualified workers for at least six months
- The total annual salary offered to them must meet the minimum set by member states (a lower minimum can be applied in cases of new graduates or occupations that particularly need workers)
- With regard to regulated occupations: they should meet the prescribed requirements for the practice of the profession
- With regard to unregulated occupations: workers should have high professional qualifications related to the job
- For IT applicants: they should have high professional skills



After that, applicants are notified of the decision within 90 days of submitting the application, and each Member State decides the validity period of the standard EU blue card permit, with a minimum of 24 months. If the employment contract is less than 24 months, the card will be issued for the duration of the contract plus this period of three months.

Rights enjoyed by EU blue card holders in EU member states are:

- Entry, re-entry and residence in the territory of the member state that issued the card in the European Union
- Get highly efficient jobs in the member state that issued the card
- Treated in the same way as citizens in terms of education, training, working conditions, social security and access to services
- Allowing a family reunification application with permits for the same duration as the EU Blue Card
- Grouping residency periods in different member states to be able and qualified to obtain a long-term residence permit from the European Union.
- Blue card holders can travel to another EU country for a short-term business
- After one year in an EU country, blue card holders can enter another member state and apply for a new card via a quick and simple procedure
- EU member states can apply simplified procedures for recognized employers such as exempting them from submitting relevant documents and notifying them of the decision within a shorter period of time than ordinary persons.

The new rules will strengthen the EU's position as a leading global destination for attracting highly qualified workers while providing them with mobility and flexibility and an opportunity for family reunification. Beneficiaries of international protection such as refugees can apply for the EU blue card in member states other than those where they have been granted asylum or other protection status. According to the new regulations, the minimum duration of the employment contract or the binding job offer to non-EU applicants will be reduced to 7 months instead of the 12 months currently in force, in addition to the need to show candidates evidence of high qualifications or professional skills.



The European Parliament has made amendments to European Blue Card regulations to alleviate the shortage of labour in Europe, and the Blue Card is the most flexible option for highly skilled migrants and the EU Blue Card, which was introduced nearly 10 years ago, allows employers in Europe to hire people from outside the EU, and this step will also be of interest to EU countries by helping to fill gaps in important sectors in the labour market.

Support integration for more inclusive communities

Resettlement can be defined as “the choice and transfer of refugees from the country in which they sought protection to another country that agreed to recognize them as refugees and grant them a permanent settlement. Home states provide refugees with legal and material protection, including access to civil, political, economic, social and cultural rights similar to those enjoyed by citizens, including ultimate access to citizenship. Resettlement is one of three permanent solutions for refugees, the other two are voluntary return or integration into the host community.” Resettlement allows refugees in need of protection to enter the EU safely and legally without having to put their lives at risk by making dangerous journeys (such as those causing major deaths at sea). Since 2015, two successful EU-sponsored resettlement programs have helped more than 70,000 of the most vulnerable and most needed international protection to find shelter in the EU.

However, the pandemic disrupted resettlement and turned the one-year program into a two-year program (2021–2020). Therefore, to ensure that resettlement efforts in the EU continue smoothly, new resettlement programs should be considered from 2022 onwards, taking into account the financial resources allocated to the Asylum and Migration Fund for the years 2027–2021 to support the commitment of member states.

With regard to seasonal workers, the EU economy relies on a large number of seasonal workers from outside the EU, as the EU has faced growing labour shortages. The Council and Parliament adopted a directive on seasonal workers in 2014, setting out the conditions under which non-EU citizens can enter and remain as seasonal workers, helping to simplify and coordinate admission rules across Member States, protect seasonal workers from poor working conditions and exploitation, as well as address the problem of seasonal non-EU workers who reside irregularly in the EU.

Establishing a healthy and equitable immigration management system is a guarantee for every person legally residing in the European Union who can participate and contribute to the well-being, prosperity and cohesion of European societies. In 2019, nearly 21 million non-EU citizens were legally resident in the EU. Successful integration benefits all the individuals concerned and the communities in which they are integrated. Despite many success stories, too many immigrants and families of immigrant origin still face challenges in terms of unemployment, lack of educational or training opportunities and limited social interaction. For example, in 2019, there was still a significant lack of employment opportunities for non-EU citizens at about 60% of people aged 64-20, compared to about 36% for citizens of host countries.

Integrating migrants and their families is an essential part of the EU's broader agenda to promote social integration. Integration policy is essentially the responsibility of Member States. The European Union has intensified its support for member states and other stakeholders since the adoption of Action Plan 70 of 2016. The European Integration Network promotes cooperation and mutual learning between national authorities responsible for integration. The European Union has also strengthened cooperation with local and regional authorities and civil society, forged new partnerships with employers and social and economic partners, and recently renewed the European Partnership for Integration with Social and Economic Partners to provide opportunities for refugees to integrate into the European labour market.

It is worth noting that the European Commission has reached an action plan on integration and inclusiveness for 2024-2021, with the integration of migrants and their families being an essential aspect, providing strategic guidance and identifying concrete actions to promote migrant integration and broader social cohesion, bringing together relevant stakeholders and recognizing that regional and local actors have a key role to play. It will rely on all relevant policies and tools in key areas such as social inclusion, employment, education, health, equality, culture and sport, and determine how the integration of migrants should be part of efforts to achieve every EU's goal.

Legal frameworks to promote the integration of migrants

The index measures policies that promote the integration of migrants into all societies, and civic and social inclusion depends on the concept of equal opportunities for all. Socially and economically, migrants must have equal opportunities so that they can lead a decent, independent and active life like the rest of the indigenous population. As for the civil terms, the entire population should be committed to mutual rights and responsibilities on the basis of equality. When migrants feel confident, welcoming and secure, they invest in the countries to which they have migrated while making valuable and effective contributions to society. Over time while in the host country, migrants can take on more rights, opportunities and responsibilities, as well as access to full national citizenship if they wish.



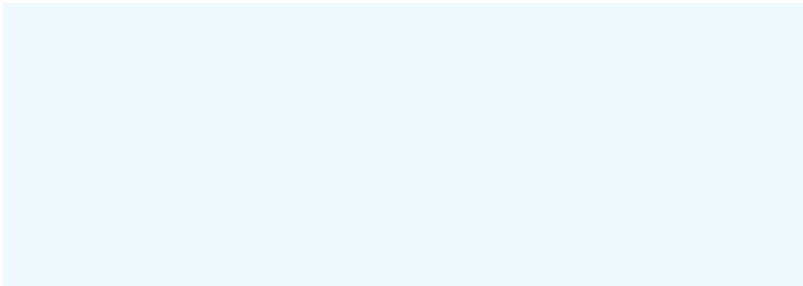
The integration of migrants is a process specific to the capabilities and needs of each individual and every society, and although government policy is one of the factors affecting the integration of migrants, it is vital for determining the political and legal framework in which different aspects of integration take place. Any country can seek equal results, remove obstacles and equal membership by investing in active participation of all, acquiring intercultural competencies, granting similar responsibilities and exercising rights.

Regular monitoring

This indicator aims to be a regular assessment of a wide range of political areas, which are very important for achieving the opportunity to integrate migrants. States can benefit from higher standard policies and an international standard. The latest version of this indicator focuses on eight political areas:

Political participation:

Foreign citizens are not granted the right to vote, to be consulted, informed or to participate in the community and public life on a regular basis in most countries. The political participation of migrants is one of the weakest areas of migrant integration policy, with most of them being given few opportunities to improve the policies and awareness that affect them on a daily basis. In the case of EU countries, non-EU citizens have limited domestic voting rights. Migrants rarely have the ability to rely on strong and well-supported advisory organizations and bodies, and their political opportunities vary greatly from country to country. Most policies deny migrants the opportunity for politicians to hear them, which means they have little chance not only to vote but to contribute to improving public life. Policies largely determine the size of the role that immigrants will play or the possibility of their equal role in public life or not. Comprehensive policies help bridge the democratic gap between immigrants and non-immigrants, and under these policies involving immigrants, migrants are likely to have an opportunity to participate by voting in elections as well as making effective contributions. Over the time they've lived in host countries, migrants develop similar levels of political participation, satisfaction and confidence as the general public.



Family reunion:

Family reunification policies determine whether separated families can reunite and settle in their new home and how long it takes to do so. The many changes that occur on family reunification policies in countries can be of great importance to the well-being of a few families who have separated and been separated by international borders. These policies have a significant impact on the right of migrants to family life, and under comprehensive policies involving migrants, separate immigrant families are likely to meet and settle in their host countries, looking for a better place to live and better jobs and even grow older with dignity within them. Restrictive policies, on the other hand, make this more difficult for many types of immigrant families.



Education:

Education is an increasing priority for the integration of migrants, but the response of education systems is very slow to respond to the needs of migrant children. Education is the biggest weakness in immigrant integration policies in most countries, where most immigrant students receive little support in finding the right class or school, so that most countries leave this to the public education system (government) to fix or exacerbate cultural problems. The Nordic countries are taking an individual, needs-based approach, some of which have developed strong educational policies through multiculturalism, others focused on providing additional support to vulnerable social groups. These policies have different positive academic effects on children in need who are eligible to benefit from them, helping all students, including immigrants, to feel safe and consider school as their second home.

Permanent residence:

Securing permanent residence may be an essential step towards full citizenship as well as better integration results for immigrants. Most immigrants have settled long enough to apply for permanent residence. Permanent residence policies seem to be more important in the long run for migrants to stabilize and consolidate themselves and their families into their new state, which provides them with more stable work. In contrast, restrictive policies on permanent residence can restrict migrants in risky jobs and in legally inadequate situations. If comprehensive policies are in place, then migrants are likely to stay for a long time in the host country, settle there and get better jobs and security.

Mobility in the labour market (movement of migrant workers in the labour market):

Integration into the labour market occurs over time and depends on the skills of migrants, the causes of migration and public policies. Some effective employment policies may be new and too narrow to include many women and men in need from outside the EU, who rarely receive any benefits or training.

Will migrants have equal access to employment opportunities and skills improvements? Policies to facilitate the movement of migrant workers in the labour market will be half the road of promoting equal-quality and skilled employment in the long run. Family members of immigrants and permanent residents have access to the labour market and receive appropriate training in many countries, but full equality of opportunity and rights in the labour market remains elusive, especially in the public sector. The academic qualifications of immigrant arrivals and their reliance on public employment services can be recognized almost as much as indigenous citizens, but they cannot rely on strong targeted programs, and this lack of support may pose complexities for vulnerable groups in society such as women and young people.

Immigrants in western Europe, particularly in the EU15 countries along with Canada, have the lowest and weakest support for migrants in Indonesia, Slovenia and India. Access to employment, rights and support varies greatly across countries, even among traditional immigration countries where permanent residents generally have the same access to social security and assistance as citizens. Access to social security, assistance and support for temporary residents varies greatly from country to country. These policies can make the labour market fairer for working migrants by helping them secure the same types of jobs of stable quality as non-immigrants. Male and female migrants are likely to improve their language and professional skills in the country and use them effectively to secure better jobs available in the labour market, and these policies help shape public opinion and serve as an economic opportunity to benefit migrants.

Obtaining citizenship:

Facilitating procedures for citizenship can significantly increase naturalization rates as well as enhance integration outcomes. The removal of citizenship barriers to migrants in all countries of the world will help migrants become national citizens, as well as feeling equal members of society. The opportunity for migrants to obtain citizenship as citizens is heavily influenced by established policies, particularly policies on dual nationality, citizenship at birth, and procedural and legal requirements. Comprehensive policies will promote migrants' acceptance, political participation, sense of belonging, trust and social and economic status.

Health:

There are significant differences in migrant coverage in health care as well as apparent differences in their access to services between countries, and policies often fail to consider their specific health needs. The large gaps within state policies have a direct and significant impact on the health of migrants. The way governments deal with migrants also has a significant impact on how satisfied migrants feel about their physical and mental health. With a comprehensive integration of them, migrants and non-migrants will end up with similar results in terms of their health, chronic diseases and even deaths. Under restrictive policies, migrants will be more likely than non-immigrants to suffer from these poor health outcomes.

Anti-discrimination policies:

Although anti-discrimination laws are becoming increasingly widespread, equality policies and bodies are weak, meaning that victims of discrimination often lack support and knowledge which prevent them from taking the first step on the road to justice and non-discrimination as their vulnerability leads them not to inform the authorities of their past discrimination and experiences. At the beginning, reform came, but now is the time for implementation. The slow expansion of anti-discrimination policies in most states will have a long-term impact on the awareness and culture of migrants, reshaping their overall attitudes in reporting discrimination. While discrimination occurs in all societies, people living in countries with a strong anti-discrimination policy will be strongly aware of their rights and realize that discrimination is a major problem. Under comprehensive and robust policies, migrants will tend to increase their confidence in the legal system and the police as well as their sense of confidence in society and the democratic system of the State. Therefore, people who are aware of their rights will be the most likely to report discrimination, and they will be less likely to be considered a minority who are discriminated against.



Demands and views of civil society

The migration crisis in the Central Mediterranean region has taken on a regional security dimension, so the national policies of major European countries, such as France and Italy, have moved further away from the EU framework. The Covid19- epidemic has further secured the issue of migration and created a pretext for new restrictions on the flow of people from the south to the north. As a result, Europe's neighbours in the Middle East and North Africa have suffered from increasing numbers of illegal immigrants, while managing the repercussions of the epidemic and fulfilling their obligations under a system of exhausted bilateral agreements with European states. Therefore, the views of civil society organizations can be seen from these policies by reviewing the following recommendations, which can reinforce trade unionists and which are well received by the Arab Trade Union Confederation (ATUC):

- Where EU policies are a clear framework and indicator of the EU's shift to a short-term, incentive-based approach to migration and asylum in response to the "migration crisis," given the provisions on negative incentives and non-compliance sanctions, policies must be amended to include the suggestion that migration to Europe will not stop and that Europe's foreign relations with non-EU countries need to be thoroughly re-examined. The long-term implications portend a very negative impact for the EU countries and countries in the Middle East and North Africa alike.
- Bearing in mind that irregular migration is not a crime and irregular migrants are not criminals. Therefore, it is worth banning the term illegal immigrant and replacing it with a term consistent with international law, irregular migration must not be criminalized. According to UN General Assembly Resolution 3449 December 1975, the term illegal should not be used to describe irregular migrants. The former Special Rapporteur on the rights of human beings and immigrants, the use of incorrect terms describing individuals as illegal contributes to increasing negative rhetoric about migration while reinforcing stereotypes against migrants.
- The importance of establishing partnerships with neighbouring Mediterranean countries within the framework of a good European neighbourhood policy.
- The importance of signing bilateral cooperation agreements in the fight against human trafficking supported by memorandums of understanding between countries to encourage cooperation between member states and regional economic groups to address human trafficking through the development and use of appropriate mechanisms, such as the group's model bilateral agreement on cooperation and mutual legal assistance ECOWAS economic for West African countries to protect children from cross-border trafficking.

- Develop specific mechanisms to identify particularly vulnerable groups or at risk of trafficking, including children. Establish national referral mechanisms and establish national networks of specialized centres to identify, refer and provide gender-appropriate and culturally adapted services to trafficked persons, which can include stakeholders from the government, civil society and international organizations.
- Provide assistance and protection to trafficked persons, including medical care, psychological assistance, a period of reflection and recovery, employment, education, reintegration and/or resettlement programs, payment of travel costs, legal assistance, compensation, remedies, and the development of national protocols or standard operating procedures on the identification, assistance and protection of victims, including victims with special weaknesses or needs.
- Develop policies and guidelines on how to investigate and prosecute trafficking in persons, and to provide training to relevant criminal justice officers such as police officers, prosecutors and judges. The establishment of specialized multidisciplinary anti-trafficking law enforcement units or specialized public prosecutor's offices to effectively investigate and prosecute trafficking cases.
- Reach a high level of integration with adequate funding between immigration and foreign policy policies in the areas of cooperation and development on economic, social and institutional relations. Strengthening national legal policies and frameworks to ensure the protection of migrants' rights through the inclusion of key legal instruments on migrants' rights and human rights, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Their Family Members, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture, the ILO Conventions 97 and 143, and the relevant regional conventions including in that African Charter of Human and Peoples' Rights, to guarantee that migrants detained by public authorities are treated humanely and fairly regardless of their immigration status, nationality, gender, ethnic origin, race or otherwise, and that all applicable forms of legal protection, including when required, are provided with qualified and gender-sensitive interpretation services, access to their consulates and protection from arbitrary detention, in accordance with international law, rules, and standards.

- Review bilateral agreements on illegal migration between southern and eastern Mediterranean countries and EU countries. The reality of the situation is that the relationship between countries of the North and the South of the Mediterranean has been marred by bilateral agreements and special arrangements that require little transparency and limit the prospects for security and long-term sustainable solutions for all parties involved in the issue, contrary to their intentions. Although the initiatives, represented by many EU projects in the Sahel region, were well-intentioned in terms of their objectives and practical scope, national policies, for the most part, undermined the EU's common approaches and thus reversed efforts to address the migrant crisis at its source rather than as a "security" problem.

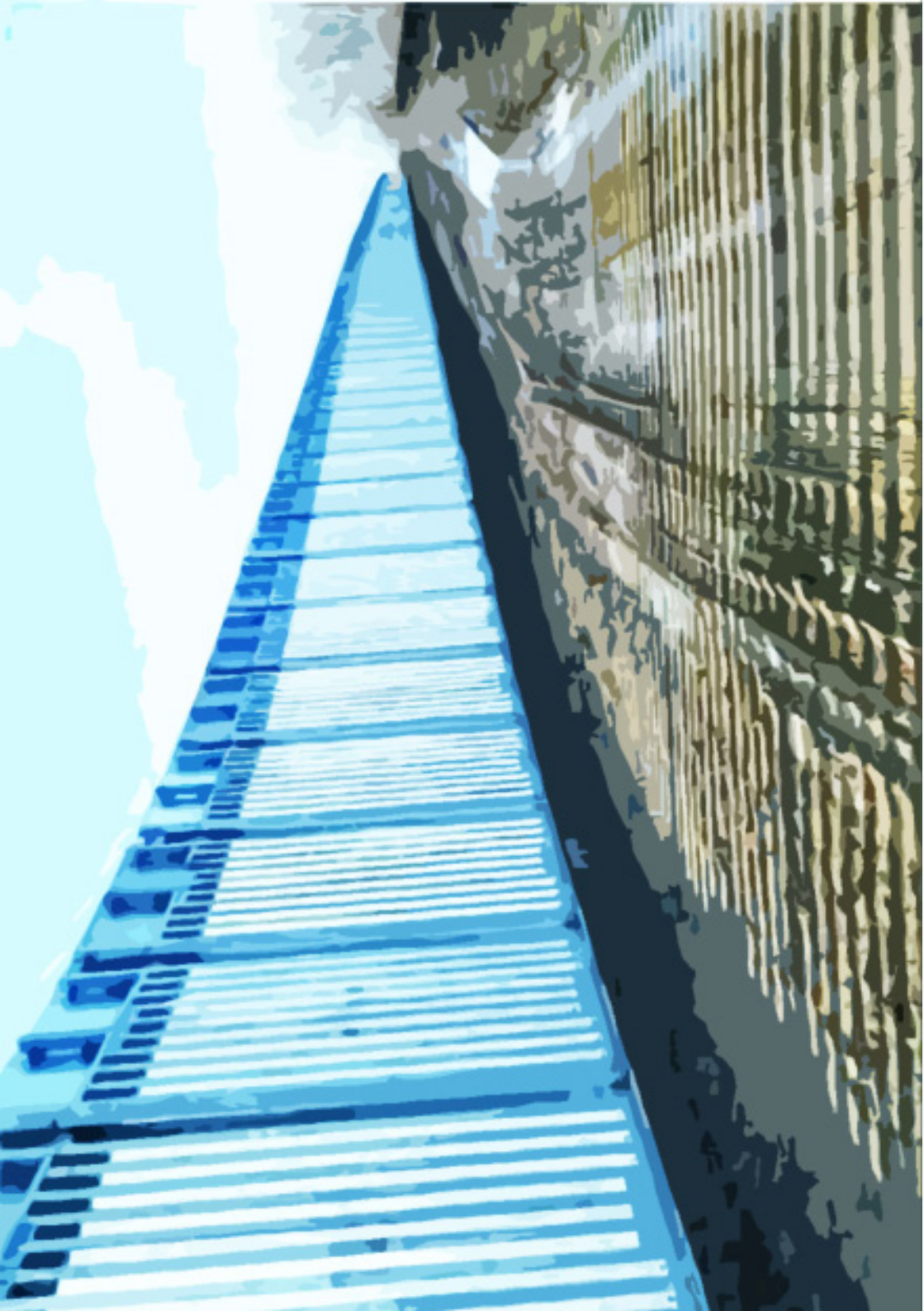
- Italy is the most active country in concluding bilateral agreements with its North African counterparts, and has agreed to many such agreements with Libya, Tunisia and Egypt since the late 1990s. These agreements have influenced the internal policies of the three States to the point of partially or in whole criminalizing migration. For example, the relationship between Libya and Italy on this issue has changed from a state of friendly cooperation to a complete severing of relations. After several years of coordinated joint work to return migrants from the Italian island of Lampedusa to Libya, Italy has stopped receiving and assisting increasing numbers of arrivals regardless of where they come from.

Bilateral agreements, rather than the Framework of the EU, were the main determinant of the approach of member states to contain and address migration in the Mediterranean with non-EU partners. North African states have historically preferred bilateral agreements to the framework of the EU because of their reliability in implementation and the common interests they contain, as neither of these elements has been fully guaranteed within the framework of the European Union because it is based on consensus by nature. These bilateral agreements tend to focus explicitly on the immediate needs of both parties rather than on the core long-term regional objectives and goals. Such a system would require a higher degree of transparency, stricter procedural rules and an effective monitoring, follow-up and evaluation mechanism. However, the detailed issue was that the states concerned did not include one with a political interest in achieving such results:

- European policies need to be linked at a regional level in the southern Mediterranean, particularly between managing the flow of migration and adopting effective and far-reaching employment policies coordinated with appropriate economic and industrial policies

- Rethinking policies at the national and EU levels, particularly with regard to the conditions of legal residence, welcome, integration and the possibility of integrated circular roads (combining demand, supply, training, social and linguistic preparation...) between countries of origin and migration, as well as policies of joint development.

- European migration policies need to include special planning so that they do not become unworkable, and key trends should be developed with basic principles and key pillars commensurate with the needs of all European migration policies.
- The need for an updated and comprehensive diagnosis of migration that includes the advantages of the flow of migration, the status of foreigners residing in host countries and the integration of policies.
- The importance of dealing with the reality of migration from a structural, comprehensive and broad point of view and balanced policies to control and manage migration policies in an orderly manner, including a special focus on labour migration with a range of cooperation and development policies for countries of origin.
- The importance of adopting an integrated approach to migration taking into account its multidimensional nature and economic and social causes.
- The importance for European labour policies of taking into account the situation of young migrants, especially given the severe difficulties they face when training in the country of origin, creating appropriate employment opportunities commensurate with the qualifications of migrant workers and promoting entrepreneurship.
- In developing and implementing policies through programs, sending and receiving countries should recognize and respect the background and cultural and social context of gender relations in countries of origin and destination countries.
- The importance of adequate protection of human rights as a special necessity for migrant women, particularly with regard to the elimination of trade in women and health-care issues.
- The importance of promoting social dialogue on migration should be reflected in means such as the Stockholm program and action plan, and the role played by European countries in dealing with different aspects of migration should be taken into account.
- Promoting the economic and social integration of migrants is an effort covering both migrants and host communities, and issues related to employment, vocational training, social protection and migrant education should be addressed; these efforts should aim to alleviate the differences that currently exist between citizens and migrants.



- The importance of not leaving the return of illegal immigrants to member states alone; this should be the responsibility of the European Commission, so the problems that arise today, particularly in transit states for illegal immigrants, can be overcome. To this end, comprehensive social, economic, psychological, legal and guidance services should be provided to women and girls returning, before, during and after the return process, with the aim of facilitating their reintegration. To provide access to complaints/reporting mechanisms that protect women from reprisals. To identify and address hatred and abuse, and to ensure safe and sustainable reintegration, including recognition services and certification of the skills and competencies of returning women.
- Develop standards and procedures, based on law and policy, for the return, readmission and reintegration of excluded migrants in line with the relevant international legal instruments: other states accept the return and re-admission of any of their citizens who are illegally located in the territory of an African state, at the request of that state; and each African/North African State accepts the return and re-admission of any of its nationals who are illegally located in the territory of other states, at the request of that member state.
- Ensure that involuntary return, deportation, and readmission are not directed unless all judicial options are exhausted, that each case is treated separately, taking into account due process and access to justice in accordance with international law, given gender-related circumstances, the situation as it relates to family unity and the risks of human rights violations in the country of origin, transit and destination.
- Stop inappropriate behaviour on the EU's external borders and coasts so that it is necessary to develop any measures taken proportionately, necessary and supporting fundamental rights and values, including the right to asylum (a framework has been established within the Agency for The Enhanced Fundamental Rights with which the Frontex Basic Rights Officer, who took office on June 2021 ,1, is currently assisted by 20 of the 40 basic screen rights).
- Strengthening the capacity of the agencies to provide support to member states in all areas related to return, readmission and reintegration. Appoint a return coordinator has been developed to strengthen coordination and consistency in Member States' practices on returns, to ensure that they are compatible with readmissions, and to strengthen the implementation of solidarity measures in the area of return.

- In the same vein, international agencies dealing with migration and human rights issues are encouraged to share information and coordinate activities aimed at addressing racism, racial and gender discrimination, xenophobia and related intolerance against migrants, including migrant workers, women, children and the elderly.
- Conduct comprehensive and in-depth free trade agreement impact studies to take gender issues into account, focusing particularly on sectors that employ the largest marginalized population in sectors such as agriculture, specific branches of industries.
- Broader national consultations, involving all stakeholders such as trade unions, representatives of affected sectors, gender experts and independent economists, to formulate and present practical adjustments to convention policies in a way that prevents heavy employment losses in the most affected sectors.
- Urge the inclusion of the trade agreement in services and review the inclusion of the European Union in the priorities of immigration management in these agreements.
- Efforts should be made to address inconsistencies and ensure that future migration and economic policies are consistent with human rights and that measures must be taken to preserve the lives of migrants trying to cross the Mediterranean. It is time for European states to put an end to this shameful tragedy and adopt migration policies that respect human rights. Now is the time for Member States to work to save lives. That's it. It is a matter of life and death, and it is linked to the credibility of European States and their commitment to human rights. The Council of Europe for Human Rights issued a strongly worded report, accusing current European immigration policies of being responsible for the deaths of thousands of migrants in the Mediterranean.
- Coordination and dialogue between all government agencies on immigration, trade and labour issues are needed to facilitate the temporary movement of people who provide goods and services and simplified trade, which supports the business of small traders.



Recommendations for the renewed European Neighbourhood Policy on Migration

On the “renewed European Neighbourhood Policy” which seeks to strengthen bilateral and regional relations between the EU and its neighbouring countries (Jordan, Tunisia, Algeria, Palestine, Lebanon, Egypt, and Morocco). There are observations and recommendations demanded by the Arab Group regarding migration in the renewed European Neighbourhood Policy:

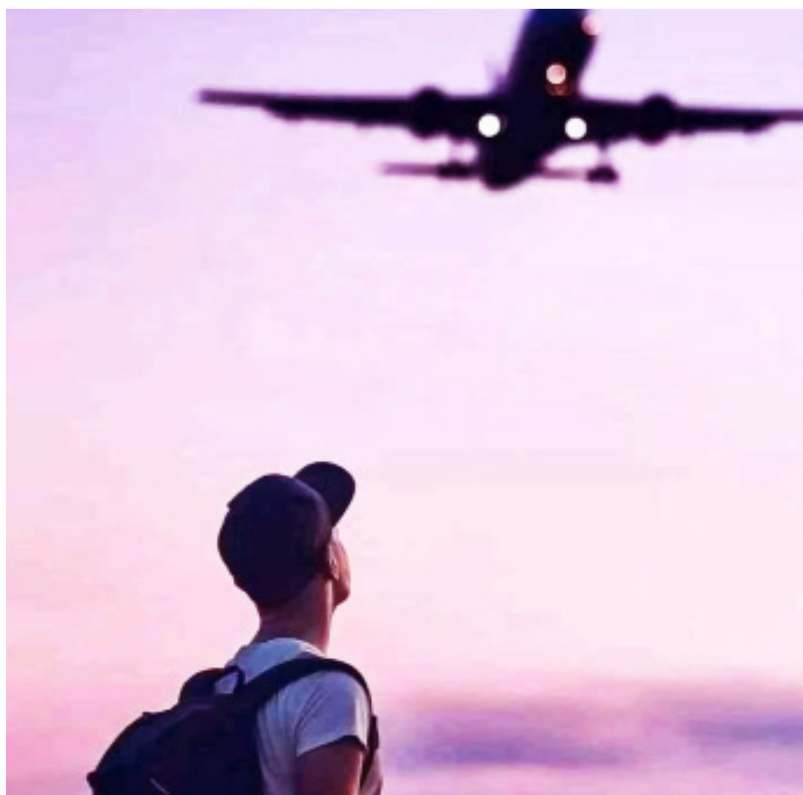
1. On mobility, the renewed European Neighbourhood Policy should focus more on facilitating mobility, in particular simplifying visa procedures (Schengen) for education, scientific research, culture and training, as well as improving the conditions for obtaining residence in Europe for Arab businessmen and investors, as well as facilitating family gathering.
2. With regard to regular migration, a policy of regulating migration must be developed, which is seen as for the benefit of both parties (countries of origin and destination); for European neighbouring countries, migration is a solution to the lack of absorption of the existing labour market. As for the States of the European Union, migration provides a solution to their demographic imbalance.
3. The legal channels for labour migration between the EU and its neighbouring countries must be strengthened and real migration opportunities provided through: publicizing the needs of the market and the required skills, recognizing the scientific and technical qualifications of migrants (equivalency of certificates, as well as cooperation in training to qualify potential migrants-including the issue of the rights of migrants and their family members in the renewed policy, especially those related to social security and healthcare). To support the efforts of States, initiatives and institutions aimed at promoting understanding between different cultures (e.g. the Arab World Institute in Paris, the MWNF Museum, and the MWNF) are needed. In addition to developing awareness programs through the media, educational institutions, religious institutions, civil society organizations, etc., and developing effective policies to integrate migrants, leading to social harmony and the preservation of their rights.

states to take practical and procedural measures to facilitate remittances from Arab migrants, by taking action that reduces the cost of sending remittances and increases their flow within official channels and develops joint programs to encourage their investments in their home country, while emphasizing that migrant remittances are not a substitute for international development assistance. Emphasizing the importance of cooperation with the Department of Migration in the General Secretariat of the Arab League, which provides the opportunity to carry out activities targeting Arab member states, particularly in the field of training and dialogue aimed at coordinating policies.

6. The need to protect migrants and refugees and their rights, especially in times of crisis, and to emphasize the importance of aiding refugees, to make of humanitarian admission programs available to them, to facilitate resettlement procedures in EU countries, and to take measures to ensure temporary protection. Helping European neighbouring countries to develop and share migration statistics, improve the quality of statistical services and further develop data. The specificity of each European neighbouring country must be taken into account when implementing the renewed policy, especially those affected by regional and asylum-affected conflicts.

4. With regard to irregular migration, European neighbouring countries stress the importance of combating irregular migration, smuggling and trafficking of migrants and preventing criminal networks, while emphasizing the need to do more to protect these vulnerable groups. Emphasizing the need for short-term policies that determine ways to combat irregular migration to be accompanied by long-term approaches that address the root causes of irregular migration flows by emphasizing the link between migration and development, as the security perspective is not enough to address the root causes of the problem. The Arab-regional consultation process on migration urged the European Union not only to carry out monitoring tasks but also to re-provide the necessary support for the rescue of irregular migrants across the Mediterranean and to provide suitable accommodation in Europe, in line with the charters of human rights, and to study asylum applications, as the tragedies of the sinking of boats carrying these migrants continue. Providing support and funding for the establishment of SMEs in the neighbouring countries of the EU, which helps to create jobs for young people in their home countries. Providing the necessary support to build the capacity of law enforcement personnel and related institutions, and providing programs and equipment aimed at strengthening border control capabilities in the fight against human trafficking.

5. On migration and development, the European Union's cooperation with its partners to promote existing initiatives to transfer expertise and knowledge to the countries of origin of migrants is needed. The EU should urge its member



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