

Opinion of the European Economic and Social Committee on the ‘Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Agenda on Migration’

(COM(2015) 240 final)

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Rapporteur: Stefano MALLIA

Co-rapporteur: Cristian PÎRVULESCU

On 10 June 2015 the European Commission decided to consult the European Economic and Social Committee, under Article 304 of the Treaty on the Functioning of the European Union, on:

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Agenda on Migration

(COM(2015) 240 final).

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee’s work on the subject, adopted its opinion on 19 November 2015.

At its 512th plenary session, held on 9 and 10 December 2015 (meeting of 10 December), the European Economic and Social Committee adopted the following opinion by 161 votes to 10 with 7 abstentions.

1. Conclusions and recommendations

1.1 The EESC welcomes the Commission’s ‘European Agenda on Migration’, which it believes symbolises a new-found understanding of the need to address migration at a European level, and encourages the Member States to collectively support the implementation of this Agenda.

1.2 The immediate challenge for the EU is to bring the current chaotic situation under control and to ensure that people seeking international protection are treated properly. The EESC supports the immediate setting up of ‘hotspots’ to support countries faced with a large influx of migrants and insists they are given the necessary resources and support.

1.3 The EESC believes that the current situation requires the EU to establish a truly common European asylum system based on harmonised procedures throughout the EU. This includes uniform asylum status and mutual recognition of asylum decisions, shared responsibility and efforts with respect to relocation and resettlement, and a revised Dublin Regulation. There is a need for robust, solidarity-based systems of burden-sharing, especially a permanent, fair and binding system for allocating those seeking protection between all EU countries. In addition, long-term solutions for the event that mass migrations continue or occur again in the future must also be sought.

1.4 Europe has an ageing population and faces a skills shortage, which can be addressed through migration. However, the EU must have a more effective immigration policy in place. The EU should design a comprehensive legal migration policy aimed at welcoming newcomers that is transparent, predictable and just. At the same time, it has to be recognised that immigration is not the only response to labour market shortages and demographic challenges, and that Member States may consider other, more appropriate solutions.

1.5 The integration of migrants and refugees is a very significant challenge that the EU and its Member States need to confront by building robust integration systems. The EESC considers that the cost of non-integration greatly exceeds the cost of integration. The EESC, with its long-standing commitment to the European Integration/Migration Forum, believes integration must be a two-way process where social partners, local authorities and civil society all play an essential role. Priority should be given to labour market access and, more specifically, to the recognition of qualifications and professional and language training. Particular attention should be paid to the integration of women.

1.6 The EU must secure its external borders. Given the current complex security situation, a European rather than a national effort is required, which may entail sharing some national competences in this area.

1.7 All EU external policies must be streamlined and focus on helping the countries of origin to reach a reasonable level of human security, stability and prosperity. The EESC is well aware that this is a long-term goal fraught with enormous difficulties.

1.8 It is necessary to enforce cooperation in the field of readmission to ensure an effective and timely implementation of the Return Directive.

1.9 Civil society plays a vital role in dealing with the migration crisis, for example by providing the necessary first responses to migrants upon arrival and by organising the ensuing activities to integrate them into society and the labour market. It is essential that governments, local authorities, and civil society organisations work towards creating a cultural and social consensus among European nations that it is important and beneficial to invest in integrating immigrants into society and the labour market.

1.10 The EESC therefore calls on the EU and its Member States to increase funding and material support for national NGOs and civil society organisations.

1.11 The appropriate financial resources must be raised in a joint effort by the entire international community. It should be clarified in the process that expenditure incurred by the Member States in connection with the reception and integration of asylum seekers and refugees is not long-term, structural expenditure and should not, therefore, be included in the calculation of structural budget deficits. The necessary resources must not be raised at the expense of existing funds for social objectives in the EU. This would jeopardise public consent from some sections of the population.

2. The Commission's Communication and latest developments

2.1 The European Commission published its Communication on 'A European Agenda on Migration' on 13 May 2015. This and the ensuing implementing proposals were subsequently discussed by various Council constellations between June and October. The EESC welcomes the Commission's Communication, considering that it is comprehensive and also focuses on essentials.

2.2 Implementation of the initiatives proposed in the Agenda is ongoing and most Member States are gradually realising that only collective action based on the principles of solidarity and shared responsibility can lead to an effective management of the challenge posed by migration. Effective action requires mobilisation of more resources from the EU's budget, as well as increased contributions from the Member States. It should be clarified in the process that expenditure incurred by the Member States in connection with the reception and integration of asylum seekers and refugees is not long-term, structural expenditure and should not, therefore, be included in the calculation of structural budget deficits.

2.3 In terms of funding, the EU has tripled resources for the Frontex joint operations, Poseidon and Triton. In parallel to this increase, assets (ships and aircraft) are being deployed by several Member States. The European Commission has also allocated EUR 1,8 billion from the EU budget to set up an Emergency Trust Fund for stability and addressing the root causes of irregular migration in Africa, mobilised EUR 60 million in emergency funding for frontline Member States, proposed a EUR 50 million resettlement scheme, and freed EUR 30 million for a Regional Development and Protection Programme.

2.4 EU leaders have pledged increased resources to Frontex, Europol and EASO in order to strengthen the EU's external borders, placing particular emphasis on hotspots to ensure the identification, registration and fingerprinting of migrants. However, EU financial support is necessary to ensure that the hotspots operate efficiently and achieve their objective.

2.5 At Council meetings in July and September, agreements were reached on the relocation of 160 000 migrants from Greece and Italy and the resettlement of another 22 000 people in need of international protection. The successful implementation of these decisions, which is in its initial phase, is crucial for the success of any future EU migration policy.

2.6 On 23 September 2015, the European Commission adopted 40 infringement decisions against several Member States for failing to implement legislation establishing the Common European Asylum System. The EESC welcomes this decision, but is very concerned that it had to resort to this mechanism to convince Member States to properly implement EU law in this crucial domain.

2.7 On the international front, several decisions may potentially lead to an improvement in the overall situation. These include increasing the EU's budgetary resources for providing refugees with immediate relief, strengthening dialogue and cooperation with non-member countries such as Lebanon, Jordan and Turkey and the candidate countries in the Western Balkans, as well as increasing humanitarian aid in 2016 and establishing the Emergency Trust Fund for Africa. The necessary resources must not be raised at the expense of existing funds for social objectives in the EU. This would jeopardise public consent from some sections of the population. The EESC welcomes the European Council's endorsement on the 23 September 2015 of the joint Action Plan with Turkey as part of a comprehensive cooperation agenda based on shared responsibility, mutual commitments and delivery.

3. Dealing with the crisis

3.1 *Immediate action*

3.1.1 The concept of smart borders is welcome and overdue. The main challenge associated with stronger and smarter borders is to ensure that migrants' human rights are not violated. Furthermore, the principle of non-refoulement should not be undermined even if this could prove challenging because the distinction between refugees and economic migrants is not always clear and straightforward. Smart borders must fully respect fundamental rights and freedoms.

3.1.2 The Schengen agreement is one of the pillars of the EU and has more than symbolic significance for European integration. It is one of the most tangible rights enjoyed by European citizens, giving them a real taste of a border-free Europe. The EESC wants the operation of the Schengen regime to return to normal as soon as possible and strongly urges the Member States to take all possible steps to prevent the permanent collapse of the system.

3.1.3 So far an agreement has been reached on the relocation of 160 000 refugees in the EU. The swift implementation of this agreement would enable much valuable experience to be gathered with a view to developing long-term solutions for the event that mass migrations continue or occur again in the future. The EESC considers that more ambition is needed. The global mass movement of people will not subside for many years to come.

3.1.4 It is in the interest of all Member States that a robust, solidarity-based system of solutions for the event that mass migrations continue in the future is implemented. An immediate measure must be a permanent, fair and binding system of burden sharing, whereby those seeking protection are allocated between all EU countries. This must be supported by a permanent distribution key based on a number of considerations such as the size of a country's economy and territory, GDP, job opportunities and skills shortages, the existence of co-national/ethnic communities and minorities in the receiving country. Such a distribution key should be reviewed periodically. The preferences of the asylum seeker should also be taken into account as long as they are linked with considerations that would facilitate integration (e.g. knowledge of the language, family in the country, etc.). This will hopefully end the continuous and discordant Council meetings that have tarnished Europe's image.

3.1.5 The EESC welcomes the proposal to activate the Civil Protection Mechanism and to mobilise Migration Management Support Teams as well as Rapid Border Intervention Teams to help Member States deal with emergency situations.

3.1.6 The EESC also welcomes the increase in EU funding for Frontex, EASO and Europol in 2015 and the EUR 600 million increase for the three agencies in 2016 to help the most affected states. These efforts need to be complemented by an effective return policy. Currently, only about 38 % of those who have been found not to be in need of protection have been returned to their countries.

3.1.7 The EU needs to increasingly link aid to developing countries to internal reforms as well as foster effective cooperation on migration issues, particularly legal migration (including temporary movement/visas) and return policy. It is however important for EU Member States to honour their commitment to assign 0,7 % of gross national income (GNI) to development aid.

3.1.8 The EESC welcomes the proposal to step up diplomatic efforts in order to engage countries of origin and transit countries in a cooperative effort to deal with the challenge. The first appointment in this endeavour was the summit on migration held in Valletta on 11–12 November 2015.

3.1.9 In this respect, it is important to stress that the EU needs to listen as much as it needs to talk to its partners and that it needs to treat them as such. Many misapprehensions and different perceptions still prevail between the EU and its partners in Africa and the Middle East regarding the objectives to be reached and the means to achieve them.

3.1.10 The EESC welcomes the EU's pledge to continue to work more closely with international organisations such as the UNHCR, UNDP, IOM and the Red Cross. However, it observes that many EU Member States do not meet their obligations, one case in point being the sorry state of support for the World Food Programme.

3.1.11 The EESC also welcomes the Commission's proposal to increase humanitarian aid by EUR 300 million in 2016 to meet the essential needs of refugees.

3.1.12 The EESC supports the principle of the mutual recognition of asylum decisions. According to Article 78 of the TFEU, the EU should develop a common policy on international protection, comprising a 'uniform status ... valid throughout the Union'. If such EU-wide status is not granted by an EU agency, the only alternative is the mutual recognition of national decisions.

3.1.13 The EESC fully supports the Commission's undertaking to submit proposals to reform the Dublin Regulation by March 2016. It also supports the Commission's commitment to present a new package on legal migration at the same time, including a revised Blue Card Directive.

3.1.14 The protection of EU external borders should be a shared effort where Member States pool physical and intellectual resources.

3.1.15 The EESC fully supports the immediate setting up of hotspots. However, these must be fully staffed and given all the resources required to enable them to function effectively. In places such as Italy and Greece, where thousands of migrants arrive every day, only a significant pooling of financial and physical resources can prevent total chaos.

3.1.16 The EESC shares the UNHCR's grave concerns about the registration and selection process in place at the hotspots as soon as immigrants arrive at the EU's borders.

3.2 Long-term action

3.2.1 The EU can only reduce migration flows to manageable proportions if it engages meaningfully in resolving the many problems affecting the countries of origin. The long-term goal of achieving stability, peace and prosperity will require an unprecedented effort, not only from Europe but from the entire international community. The EU must seek to strengthen international efforts, particularly through the UN.

3.2.2 It is necessary for the EU to extend its institutional presence in key origin and transit countries by setting up specific migration centres as temporary or permanent processing facilities for asylum applications. More focus and assistance is needed in countries such as Algeria, Morocco, Mali, Libya, Lebanon and Turkey.

3.2.3 The EESC believes that one of the principal goals of the Agenda is to launch an EU migration policy which makes legal migration possible, while at the same time stimulating the effective integration of migrants. The EESC is waiting for the first legislative and policy proposals in these areas, and stands ready to support the European Commission in its efforts to develop these proposals.

3.2.4 EESC encourages the Member States to fully respect and actively implement the 1951 Geneva Convention and resist pressure to reduce the level of protection and services granted to refugees.

3.2.5 The EESC supports a common asylum policy based on simplified, common procedures. Such a policy must also be based on a common definition of refugee status and the rights attached to this status in order to avoid refugees shopping around for the 'best treatment'.

3.2.6 The Country of Origin Information (COI) system needs further development. Asylum applications from citizens originating from the same states and presumably facing a similar situation often have different outcomes. The system in place should be flexible and reliable enough to research and process developments in the countries of origin in real time. Cooperation between the security services of the Member States should continually be improved, because they are an important source of information.

3.2.7 Greater priority should be given to organising legal migration and visa policy, the digitalisation of the process, the recognition of qualifications and obtaining educational mobility.

3.2.8 The EU should be more involved in the management of returns and support for reintegration measures. The pilot project on returning to Pakistan and Bangladesh is of limited relevance to the current emergency situation. The EESC strongly recommends the planning and implementation of similar projects, with proper financing and institutional support.

3.2.9 Strengthening border controls in transit countries, enhancing sea patrols and destroying smugglers' vessels can help but are not the only sustainable way to tackle the problem. The EU is on the right track when it takes a comprehensive approach that makes better use of its diverse instruments and significant resources.

3.3 *Civil Society*

3.3.1 Civil society plays a vital role in dealing with the migration crisis. Civil society actors can provide essential help in supplying the necessary first responses to migrants as they arrive. However, civil society potentially has an even more important role to play when it comes to the longer term effort required to integrate migrants into society. Civil society can adopt the people-to-people responses that are so crucial at all stages in the reception and settling of refugees.

3.3.2 The EESC praises the solidarity shown by segments of civil society and private individuals who have voluntarily assisted asylum seekers. However, this positive and spontaneous reaction lacks the sufficient scale to enable it to effectively deal with the challenges posed. The EESC calls on the EU Member States to recognise and appreciate the role that civil society plays by stepping up their aid to national NGOs and civil society in order to ensure a more structured and effective response. Member State governments have a special responsibility to identify and link up with the civil societies on their territories, and to step up aid to ensure their capacities are increased.

3.3.3 Furthermore, the EESC recommends that the Commission make efforts to provide Member States with more resources through the partnership agreements concerning structural funds to channel more ESF and ERDF funds towards managing the migration flows and integration effort. NGOs and organisations involved on the ground should be prime recipients of such funds. These should be over and above the funds currently being provided under the Asylum, Migration and Integration Fund.

3.3.4 The EESC draws attention to the European Migration Forum, succeeding the European Integration Forum which was created in 2009 by the EESC and the European Commission. The forum is a platform for dialogue between European institutions and civil society in the areas of immigration, asylum and migrant integration.

4. Integration into society and the labour market

4.1 The EESC considers it important and highly relevant to ensure that there is a transparent, predictable and just system of legal migration to the EU. The population of Europe is ageing and growing at only around 0,2 % per annum, which is significantly below the replacement level. It is estimated that Europe will lose some 30 million people of working age by 2050 and unless something is done quickly, the dependency ratios in most EU Member States will continue to increase rapidly, productivity will decline, companies will close down and the costs of maintaining services, particularly for the ageing population, will increase significantly.

4.2 Through collective and organised action based on solidarity, the EU can transform the current situation into an opportunity to reverse the current demographic trend and its socioeconomic effects. Integrating migrants into the labour market leads to economic growth and supports their independence. On the other hand, policies that neglect integration shift the burden of supporting migrants on to public services and could lead to social friction with considerable implications.

4.3 The EESC recognises that integration is strongly dependent on labour market integration. There are however a number of factors associated with the impact of immigration on the labour market which need to be explained. These include the impact of immigrants on the level of wages, the availability of jobs, pressure on the fiscal system (health and education) and the effects of multi-culturalism.

4.4 The Committee has already drawn up an exploratory opinion⁽¹⁾ that was the basis for the preparation of the Zaragoza Ministerial Conference in 2010⁽²⁾, which adopted an important Declaration on the labour market integration of migrants and the challenges for European and national authorities and the social partners.

4.5 Studies show that on the whole, migrants contribute more than they take from the economy, that their impact on fiscal systems is minimal and that they help Europe address its demographic deficit and stimulate economic growth. However, the effects of migration do not impact all regions of Europe in the same way and need to be assessed carefully for their impact at the local level. In addition, there is a marked difference between the orderly arrival of migrants as part of the implementation of a policy and a sudden surge of thousands of incoming migrants, which would be difficult to deal with and would strain local, regional and national structures as has happened in recent weeks.

4.6 The integration of migrants in the labour market depends on a number of factors such as the level of unemployment in the host countries, migrants' skills, their level of skill, pre-entry preparation in terms of language capabilities and formal training and the organisations, structures which are set up in the host countries to facilitate the integration of immigrants, including refugees, in the labour market. It is in these areas that civil society has a crucial role to play.

4.7 However, there are other factors which hamper rapid integration, such as recognition of qualifications, bureaucratic obstacles, lack of transparency, public misperceptions about migrants, exploitation and legal hurdles presented by outdated laws and the non-implementation or slow transposition of EU legislation.

4.8 Trade unions and employers' associations have a crucial part to play in addressing the challenge of integrating immigrants into the labour market. The EESC recommends that the social partners be fully involved in drafting, developing, implementing and following up on integration policy and related measures at the local, regional, national and European level.

⁽¹⁾ OJ C 354, 28.12.2010, p. 16.

⁽²⁾ <http://www.integrim.eu/wp-content/uploads/2012/12/Report-20101.pdf>, <https://www.uclm.es/bits/archivos/declaracionzaragoza.pdf>

4.9 Government, local and regional authorities and the social partners must work together to achieve a social consensus on the ways and means of integrating migrants into the economy and society, above all to avoid a struggle between different disadvantaged groups.

4.10 Civil society plays a crucial role in helping migrants gain access to education, training and employment, and in challenging discrimination in the education sector, labour market and society as a whole.

Brussels, 10 December 2015.

The President
of the European Economic and Social Committee
Georges DASSIS
