



EUROPEAN IMMIGRATION POLICY [\[FR\]](#)

Immigration is a sensitive subject in all European states. There were 191 million immigrants in the world in 2005, of whom 21%, i.e. nearly 41 million people, were EU residents. Immigrants thus accounted for 8.6% of the total population of the Community. That is why the Maastricht Treaty included immigration as an area 'of common interest' and initiated the idea of a European immigration policy.

I. The development of a European immigration policy

The first significant step forward came with the **Amsterdam Treaty**, which set as an objective the establishment of an 'area of freedom, security and justice' and, to that end, introduced a new title (Title IV) to the Treaty establishing the European Community. Visas, asylum, immigration and other policies related to the free movement of persons became shared competences and therefore came under the first pillar. It was decided, however, in the Amsterdam and then the Nice Treaties that the Community method would only be applied to them gradually. So the Commission has only had a right of initiative in this area since 1 May 2004. The role of the Council and Parliament varies according to the area concerned (legal immigration, visas, asylum, illegal immigration), but tends gradually to approach the Community model.

This basic framework, enshrined in the Amsterdam Treaty, was further developed at the **Tampere European Council** of 15 and 16 October 1999. At that summit, the European Council set out the objective of a 'common immigration policy' and defined the three main guidelines:

- Development of partnerships with countries of origin, in order to promote co-development in particular;
- Fair treatment for third-country nationals;
- More effective management of migratory flows, including effective external border controls.

It also set the objective of a 'common asylum policy', which gave rise to the introduction of five new instruments: a clearer system for determining the Member State responsible for examining an asylum application, minimum standards on the reception of asylum seekers, a common definition of the status of refugee and beneficiary of subsidiary protection, a temporary protection mechanism to deal with mass influxes of displaced persons, and harmonisation of asylum procedures.

Following the impetus given by the Amsterdam Treaty and the Tampere Council, **European legislation began to develop** and a number of acts were adopted, of which

the following are the most important:

- March 2001: adoption of a common list of third countries whose nationals must be in possession of a visa;
- May 2001: directive on the mutual recognition of decisions on the expulsion of third-country nationals;
- June 2001: directive on the penalties applicable to carriers who fail to meet their obligation to control travel documents;
- November 2001: communication from the Commission on a common illegal immigration policy;
- June 2002: proposal for a comprehensive plan to combat illegal immigration and trafficking of human beings in the European Union;
- November 2002: directive defining the facilitation of unauthorised entry, transit and residence;
- September 2003: directive on family reunification;
- November 2003: directive on a long-term resident status for third-country nationals;
- 2004: adoption of a programme of technical and financial assistance to third countries in the area of migration and asylum (AENEAS);
- 2004: directive on the obligation of carriers to communicate passenger data;
- February 2004: regulation on the creation of an immigration liaison officers network (ILO);
- April 2004: directive on strengthening the fight against trafficking in human beings.

The issue of immigration remained on the agenda of subsequent European Councils.

On 21 and 22 June the Heads of State and Government meeting in Seville called for the gradual establishment of coordinated and integrated management of external borders. Following that Council and the 2003 Thessaloniki Council, a European Agency for the management of operational cooperation at the external borders (Frontex) was created.

The Hague summit of 5 November 2004 gave new impetus to European immigration policy with the adoption of a multiannual programme for the establishment of an 'area of freedom, security and justice', following on from the Tampere programme. It focused on three areas: combating illegal immigration, in particular trafficking in women and children; setting up a legal immigration plan; and the integration of immigrants. It called for several instruments relating to visas and biometrics: joint centres for issuing visas, the introduction of biometric identifiers on national identity cards and interoperability of data banks in 2005 with a view to establishing a Visa Information System (VIS). The Hague programme also set the objective of developing an immigration policy outside the EU's borders by means of partnerships with the countries of origin.

The establishment of a European immigration policy has continued since then:

- November 2004: publication by the Commission of a European 'Handbook on Integration', which discusses good practices;
- December 2004: directive on facilitating the admission of foreign students;
- January 2005: Green Paper 'An EU approach to managing economic migration';



- October 2005: directive on facilitating the admission of researchers;
- December 2005: adoption by the European Council of a comprehensive approach to the question of migration;
- 2006: creation of European border patrols to combat illegal immigration;
- 2006: establishment of a programme of work with Africa;
- October 2007: 'Blue Card' directive to make the EU more attractive by proposing a common, accelerated and flexible programme for the admission of highly qualified immigrants;
- June 2008: 'Return' directive.

Despite all this legislation, there is still no genuine European immigration policy to date. The **Lisbon Treaty** is a step in that direction. Chapter 2 of Title IV concerns 'Policies relating to border controls, asylum and immigration' and allocates several matters to the ordinary legislative procedure. Moreover, the European Council of 15 and 16 October 2008 gave rise to the adoption of the European Pact on immigration and asylum, which harmonises asylum systems, organises legal immigration, strengthens border controls and arranges the expulsion of illegal immigrants. That pact was adopted during the French Presidency, which set European immigration policy as one of its priorities.

II. ALDE and European immigration policy

'Managing migration effectively is one of the greatest challenges facing the European Union today. For too long Europe's response has been uncoordinated at best, ill considered at worst. We should abandon the model of migration management that stops at national borders. Some first steps towards EU cooperation have been made in the fight against illegal migration, but we must not stop there. Turning Europe into a fortress is not the answer. Only a comprehensive strategy that responds to Europe's skills needs and takes account of the factors that lead people to leave their homes in the first place can manage migration effectively', according to a statement made by **Graham Watson**, former Chairman of the Group, in 2008.

Jeanine Hennis-Plasschaert (VVD, Netherlands), ALDE coordinator on immigration in the LIBE committee, added: *'It is time we all recognised that the time for words is past and the time for action has come. In a world marked by increasing regional conflict, resource scarcity and the growing gap between rich and poor, mobility will increase rather than diminish. We need to put ourselves in a position to respond to that challenge with a radical, yet responsible, common migration policy.'*

For further information:

[ALDE press releases on immigration](#)

[Commission: DG Freedom, security and justice](#)

[European Parliament: LIBE committee](#)

