

**EURO-MEDITERRANEAN SUMMIT OF ESC's**  
**ISTANBUL 2011**

**DOCUMENT PRESENTED BY Mrs APHRODITE MAKRIGIANNI,**  
**SCIENTIFIC ADVISOR OF THE ESC of GREECE**

The first theories that attempted to explain migration identified as causes:

- the problems of overpopulation,
- the adverse economic context and
- the negative social environment.

The main cause of migration must be sought in the difference in economic, political and cultural development between European metropolises and countries of the "periphery.

The greater the differences in wages or in searching for a job, the greater the migration. The smaller the geographical distance on the basis of developments in transport, the more likely people are to migrate.

Today the problem of migration has taken important dimensions mainly due to significant political and social changes that occurred in Eastern Europe and the Balkans and most recently in the countries of Africa.

#### A. Immigration from East to West

In this category belongs the wave resulting from decolonization, as well as that resulting from political persecution and the regime change in Eastern European countries.

The causes are economic (economic migration), political (persecution by authoritarian regimes) and cultural.

#### B. Immigration from South to North.

The causes are mainly economic (e.g. unemployment, poverty) but also political, while wars, dictatorships and civil conflicts, such as the recent “Arab Spring”, continue to cause massive population movements from Africa, Asia and the Middle East.

As for the Mediterranean Basin, migration is increasing steadily, as the Mediterranean Member States of the EU are an attractive destination for immigrants from Southern and Eastern Mediterranean (hereinafter: SEMs) and Southern and Eastern Mediterranean countries have, to a great extent, gradually turned from countries of origin into transit and host countries.

In cases where immigrants attempt to enter Europe and fail (either because of failure to provide legal visas, or because of failed attempts to

enter secretly), they often find employment and remain in SEMs. This development creates a growing number of undocumented immigrants in these countries, which seriously burdens them, as it keeps wages very low and increases the already high unemployment rates in local labor markets and stimulates the migration of endogenous labor to the E.U.

Unfortunately, this development is not yet recognized enough and has not been translated into migration policies of the respective national authorities.

The interest in the management of immigration is particularly strong in Mediterranean countries. Governments on both sides of the Mediterranean Basin are seeking to design a legislative framework to regulate the entry and stay of immigrants and their access to jobs and services. Specifically, there has been increased interest in negotiating migration frameworks mainly in the form of "circular" migration.

The most developed European countries, especially those in the rich North, obtained after the Second World War significant immigrant minorities that reached up to 10% of the national population.

More than 175 million people in the world, i.e. 2% of world population, live in a country where they do not have citizenship.

In the European Union, the total number of foreigners σύμφωνα με τα πιο πρόσφατα διαθέσιμα στοιχεία amounted to 29 million (5.8% of total population) and half of them come from third countries.

Today the problem of migration has taken important dimensions mainly due to important political changes in Eastern Europe and the Balkans and most recently in the countries of Africa.

The flow of migration from SEM countries to the EU is increasing gradually in recent years. Immigrants from SEM countries are estimated at about 8.2 million.

SEM countries have, to a large extent, become countries of transit and immigration and research shows that there are about 5.6 million immigrants in this area, including 3.6 million undocumented immigrants.

Across the Euro-Mediterranean region, undocumented immigration has developed to a considerable degree. Three categories of undocumented immigrants to SEMs are distinguished:

- i)Undocumented migrant workers. There is no correspondence to formal labor demand and they do not meet the legal conditions of entry, residence and occupation.

- ii) Refugees. Most refugees in SEMs have not received the official refugee protection status, but were stranded in the country of first asylum, expecting to be resettled in a third country or return home, as soon as security is restored. The large number of refugees, especially from Iraq and Sudan, in all SEMs causes particular concern.
  
- iii) Transit migrants. These people are going to more distant regions - Europe, North America or the Gulf - but remain "blocked" at the entrance because they do not have the requirements for travel documents (visa).

High rates of unemployment persisted throughout the period, especially amongst younger workers, and fed the continued migratory flows from the region.

Surveys show that young people from SEM countries have a strong desire to emigrate, primarily because of limited employment opportunities and low wages in their country, but also because of political conditions. Furthermore, the existence of an integrated diaspora facilitates migration to the EU, mainly through the channels of family reunification.

The analysis carried out by the European Commission pointed precisely to doubts about labour integration for the youngest cohorts in the future. In particular, it stated that over 15 million additional jobs would be required in the region over the next ten years. This amounts to 30-60% more than were created during the economic expansion from 2002 to 2007.

Also, paradoxically, in these countries unemployment is increasingly related to the level of education. So, in addition to the challenge of creating jobs, it is also necessary to create jobs in line with the increasing supply of graduates in the region. This makes management of the labour market a complex challenge for governments.

According to the European Commission itself, in 2060, proving that the current levels of immigration are maintained, Europe will have 110 million fewer workers than at present, to finance current levels of social spending, especially pensions. Furthermore, in 2020, it is estimated that only in the health sector a lack of around one million workers will exist.

Based on data by EUROSTAT, the IOM and the Member States, it was estimated that 80% of undocumented immigrants lived in the Schengen area. Half of them are believed to have entered the EU legally, but lost legal status after the expiration of their visa<sup>1</sup>.

The initial political destabilisation and, in the most extreme cases, the armed conflicts and political repression associated with the processes of change, have triggered situations of social and humanitarian emergencies in terms of displaced populations and asylum seekers.

The United Nations Refugee Agency (UNHCR) has reported the serious humanitarian crisis in Libya, Tunisia and Egypt caused by almost half a million displaced persons fleeing from conflict zones.

But the events have also had an economic and social impact on living and working conditions for a large proportion of the population. Many of these people were already living in situations subject to serious economic deterioration (45% of the 80 million Egyptians live beneath the poverty threshold). Also the instability that has come with the processes of political change and the economic stagnation during 2011 have been negatively reflected in employment.

---

<sup>1</sup> New tools for an integrated European Border Management Strategy, MEMO/08/85, 13.2.2008.

All this has resulted in greater pressure on migratory flows in the region amongst the SEM countries themselves but also towards European Union countries, as with the mass arrivals of immigrants, most of them from Tunisia, on the coasts of Lampedusa – about 5,000 in just a few days of February.

These movements have sometimes created tension in host countries which are calling for stricter border controls with the collaboration of the Frontex agency (Hermes operation).

Arab spring's greatly increased the migratory flows to Europe. Italy's decision to issue 20.000 temporary permits was followed by France's decision to exert pressure in order to temporarily strengthen controls at internal borders. Moreover, Denmark, knowing that it is the final destination of many of the entrants in Europe, informed the Commission that it would strengthen controls at its borders, which, according to the Chairman of the Committee, conflicts with the Schengen Treaty.

In addition to the immediate impact of the political events called as “Arab Spring” the structural conditions that were behind migratory flows have remained – the gap in terms of wealth and living conditions between the northern and southern coasts of the Mediterranean, the high levels of poverty, the demographic pressures and high rates of unemployment amongst young people, the lack of job opportunities and prospects and the low wages.

Such factors can even be said to have been aggravated. Some of the SEM countries which have seen the most intense political and social upheavals now have to deal with worse socio-economic conditions as a result of several factors. These include the drastic contraction of sectors bearing

great weight in GDP, such as tourism and oil drilling, the sharp drop in foreign direct investment, and the return en masse of emigrant workers such as the 1.5 million Egyptians or the 120,000 Tunisians who have been forced by the civil war in Libya to return to their home countries. Not only have they lost their jobs but the flow of remittances they were sending home has dried up.

The harmonization of the laws of the Member States of the EC regarding third country nationals was not foreseen by the Treaty of Rome.

Moreover, there was no common policy on entry and residence of third country nationals in the Community, as immigration control fell under the jurisdiction of individual states.

However, the creation of an "intra-Community" area without frontiers has led some Member States to express the necessity of a European immigration policy, as the abolition of border controls between the EC involved free movement of third country nationals.

**On 14/06/1985 the Schengen Treaty entered into force. Its aim was the gradual abolition of checks at common borders, the establishment of freedom of movement for all persons who are nationals of countries that signed the agreement.**

**Later on, specifically on October 1999 in Tampere, European heads of state of the European Union, decided to adopt a common immigration policy to control migratory flows.**

On 1999 the Treaty of Amsterdam entered into force. Through it, immigration policy is the responsibility of the European Union. Moreover, the treaty adopted "measures defining the rights and conditions under which third country nationals legally residing in a Member State may reside in other Member States" and predicted the gradual harmonization of policies on immigration, visa and asylum grant among the countries that signed it.

The European Council on 4 and 5 November 2004 adopted the multiannual Hague Programme, which set targets for strengthening freedom, security and justice within the European Union over the period 2005-2010. The main aims were to define a balanced approach to immigration, to develop an integrated management of external E.U. borders, to **decree a common asylum procedure.**

Finally, following the "Tampere Programme" for justice and home affairs, launched in 1999, and the 5-year "Hague Programme", which ended in 2009, the 5-year "Stockholm Programme" followed for the period 2009-2014. Through this program, a new European Union

framework is set for police, judicial and customs cooperation among Member States, as well as for policy on asylum, immigration and visas.

Lately the EU Interior ministers pledged to protect the Schengen acquis and to respond to the need to combat xenophobic reactions against the massive influx of third country nationals.

The Committee, in its efforts to address the emergency situation, presented a special communication on immigration. The Committee reaffirmed the commitment to the Schengen acquis and presented its proposals for the strengthening of external borders and a more explicit Schengen governance. In particular, the Committee agreed with the implementation of a mechanism, which will be applied in real crisis situations and will allow decision-making at European level on which Member States may reintroduce border control and for how long.

The Council emphasized on three pillars: a) strengthening Schengen governance b) the new partnership with the states of the Southern Mediterranean and c) asylum policy. Emphasis was given to the review of Schengen governance to address irregular migration, ensure effective control of external borders of each Member State and to build confidence in the effectiveness of the immigration management by the EU.

These initiatives are, in addition to short-term measures, adopted by the Committee. Moreover, it implemented resettlement programs to relieve particularly Italy and Malta from the pressures of immigration.

Pursuant to these consultations, the Commissioner, Cecilia Malmström, presented three important papers on:

- The proposal for amending Regulation (EC) 539/2001 on visas.
- A dialogue with the Southern Mediterranean countries on migration, mobility and security and
  
- The Annual Report on Migration and Asylum (2010).

The Commissioner's proposal for amending the visa procedure provides the introduction of a safeguard clause which allows, under certain exceptional circumstances, the temporary reintroduction of the visa requirement for third country nationals. This will offset the negative consequences of the arrival in the EU of a large number of illegal immigrants. According to the Commissioner, the proposed amendments will increase the confidence of Member States relating to governance in the visa sector and future liberalization of the visa regime. Therefore, there seems to be, a "soft" method, which, in times of crisis, will allow the states to raise levees on flows without revising in full the Schengen acquis.

It is obvious that the EU needs an integrated and comprehensive policy, which will allow decompression of the external borders of the EU while ensuring the necessary workforce for the aged Europe.

The Barcelona Process is a Euro-Mediterranean Partnership Agreement, a partnership between the EU and its Mediterranean partners, which covers the following sections: (a) political dialogue and security, (b) economic and financial cooperation and (c) social, cultural and human cooperation.

At the Barcelona summit in 2005, a fourth chapter of cooperation was introduced, regarding "Immigration, social integration, justice and security." This Summit was held to celebrate the tenth anniversary of the Barcelona Declaration, and it paid special attention to development of programmes for economic and social cooperation, and cooperation programmes on migration issues.

On 18-19 November 2007, the first Euro-Mediterranean Ministerial Meeting on Migration was held in Algarve, Portugal, where it was stressed that for legal immigration the needs of the labor market should be explored first and the causes that generate migration should be combated in general (development support in countries of origin). Regarding illegal immigration, it was indicated that measures for travel documents of better quality standards should be promoted for the voluntary return of migrants to their countries.

At the Paris Summit in 2008, the agreement "Union for the Mediterranean" was ratified. It is the evolution of the Barcelona Process with objectives including: fighting illegal immigration, highlighting the links between immigration and development, as well as creating a peaceful and robust Europe, by enhancing their co-managed immigration for the benefit of all parties involved.

It is noted that for the implementation of the objectives set by both the Barcelona five-year Work Programme (28 November 2005) and the First Euro-Mediterranean Ministerial Meeting on Migration, the program "Euromed Migration II" was created. Among other things, it processes issues relating to the reform of immigration law.

The objective, as was stressed by the European Council of 24 June 2011, is to recover the spirit of Tampere by establishing a partnership for mobility, partnerships with countries in the neighbouring Mediterranean and eastern areas, within the framework of the European good neighbour policy. In practical terms, an elevated level of integration needs to be pursued – with adequate funding - between policies of migration and foreign policy in the areas of development cooperation and economic, social and institutional relations.

The new political context arising after the uprisings may make it necessary to review the bilateral agreements against illegal immigration between SEM and EU countries. Opportunistic use of migratory policies by host and source countries must be avoided.

Moreover, European involvement in policies adopted on an intra-regional level in the southern Mediterranean is also necessary. Ordered management of migratory flows should be linked to the adoption of far-reaching, active employment policies that are coordinated with appropriate economic and industrial policies.

It is within this framework that, on both the EU and national levels, there must be a thoroughgoing rethinking of the policies on flows, conditions for legal residence, welcome, integration and the possibility of highly integrated “circular” paths (bringing together supply and demand, training, linguistic and social preparation...) between the countries of origin and immigration, as well as policies of joint development.

The main proposal - reference and starting point to a successful immigration policy should be the adoption of a common immigration policy. Given the transnational nature of immigration, entry, residence and geographical mobility of third country nationals in EU Member States cannot be regulated only by national policies.

European immigration policy requires a special planning in order to not remain inapplicable. For this reason, must be taken into account the following principles.

1. The increasing importance of migration in the EuroMediterranean over recent years and the complexity of factors behind it make it necessary to carry out a thorough, updated diagnosis of immigration. Attention should be paid, amongst other aspects, to the characteristics of migratory flows, to the situation of foreigners living in host countries and to integration policies. Also no immigration policy can succeed if it has not carefully planned national integration and inclusion policies for the resident and legal immigrants, as well as those who enter and reside legally.

2. The reality of migration should be addressed from a wide-ranging, structural and holistic perspective, balancing policies for control and ordered management of migratory with the set of cooperation and development policies of the countries of the region.

3. The development over recent years of the European common policy on immigration and asylum should be reviewed from and takes into account other Community policies from the point of view of a global approach. We also take in account the effects of the financial and economic crisis with the aim of assessing their impact on the immigration and on immigrants' living and working conditions.

4. We should not seek direct application of successful - traditional immigration policies. All European countries have followed their history and their political and cultural heritage to formulate their particular

immigration policy. The rules guaranteeing social cohesion are "unique" for each society.

One of the key aspects of the migration situation is labour migration. Special attention should be paid to the situation and role of young people. Stress should be placed on relevant aspects such as the promotion of suitable policies for training in the country of origin and the recognition of migrant workers' qualifications.

Migrations policies must acknowledge and respect the background and socio-cultural context for gender relations in countries of origin and countries of destination. An appropriate human rights protection framework is particularly necessary for women migrants. It is worth mentioning that women account for almost half of the migrant population globally.

Finally, attention should be drawn to the need for recognising the relevant role that the social partners can play in national policies and in Community strategies by including the promotion of social dialogue on immigration. This should be reflected in instruments such as the Stockholm Programme and its plan of action. Also, the role played by the ESCs in dealing with different aspects of migration should be taken into account.

Therefore, the individual pillars that a common European immigration policy should take into account are:

A. Regulations for economic migrants with long-term goals. If we accept that the needs of the labor market will continue to exist during the following years and that the need for selective migration will eventually appear, then new ways of inviting immigrants should be explored. The quotas and point system policies, while not being a panacea, could contribute to a more attractive choice for both host countries and for immigrants to the extent that they can be combined with a closer relationship between supply and demand for foreign labor force.

B. Arrangements for political refugees. The intensification of the phenomenon in the 1990's and the differences between countries make the existence of a single regulation of the phenomenon imperative. This single regulation can be relevant to the agreement on the rules governing the admission of refugees and asylum seekers, the harmonization and implementation of these rules, as well as the creation, at European level, of a special fund for the provision of financial assistance to refugees, in order to minimize the differences between countries.

C. The socio-economic integration of immigrants. The promotion of socio-economic integration of immigrants requires efforts which will cover both immigrants and host societies. Attention should be given to issues relating to employment, vocational training, social protection and education of immigrants. These efforts should be aiming at further reducing the differences that currently exist between nationals and immigrants. Particular emphasis should be given to the operation of educational institutions. The reform of educational institutions, so that they function as key mechanisms for inclusion and not exclusion of immigrants and their children, must be a priority in all European countries.

D. Cooperation with sending countries and shared responsibility for the return of migrants. The cooperation with sending countries is associated with:

i) financial assistance to them, with the long-term goal of eliminating conditions that encourage immigration, and

ii) cooperation for control of illegal immigration and movement of refugees.

iii) agreements on readmission of illegal immigrants. The return of illegal immigrants should not be left to the individual Member States, but it should be the responsibility of the European Committee.