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A Common Immigration Policy for Europe

P6_TA(2009)0257

European Parliament resolution of 22 April 2009 on a Common Immigration Policy for Europe: Principles, actions and tools (2008/2331(INI))

(2010/C 184 E/06)

The European Parliament,

- having regard to the Communication from the Commission of 17 June 2008 entitled 'A Common Immigration Policy for Europe: Principles, actions and tools' (COM(2008)0359),
- having regard to the Opinion of the Committee of the Regions on A Common Immigration Policy for Europe of 26 November 2008 ⁽¹⁾,
- having regard to the European Pact on Immigration and Asylum, adopted by the European Council on 15 and 16 October 2008 ⁽²⁾,
- having regard to Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (Return Directive) ⁽³⁾,
- having regard to Regulation (EC) No 863/2007 of the European Parliament and of the Council of 11 July 2007 establishing a mechanism for the creation of Rapid Border Intervention Teams ⁽⁴⁾,
- having regard to the proposal for a regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (Recast) (COM(2008)0820),
- having regard to the Communication from the Commission of 17 October 2008 entitled 'One year after Lisbon: The Africa-EU partnership at work' (COM(2008)0617),
- having regard to the Communication from the Commission of 13 February 2008 entitled 'Preparing the next steps in border management in the European Union' (COM(2008)0069),
- having regard to the Commission Working Document entitled 'Evaluation and monitoring of the implementation of the EU Plan on best practices, standards and procedures for combating and preventing trafficking in human beings' (COM(2008)0657),
- having regard to the Joint Africa-EU Strategy and its First Action Plan (2008-2010) - the Strategic Partnership - agreed at the Africa-EU Summit on 8/9 December 2007 in Lisbon ⁽⁵⁾,
- having regard to the Communication from the Commission of 30 November 2006 entitled 'The Global Approach to Migration one year on: Towards a comprehensive European migration policy' (COM(2006)0735),

⁽¹⁾ OJ C 76, 31.3.2009, p. 34.

⁽²⁾ Council document 13440/08.

⁽³⁾ OJ L 348, 24.12.2008, p. 98.

⁽⁴⁾ OJ L 199, 31.7.2007, p. 30.

⁽⁵⁾ Council document 7204/08.

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- having regard to the Hague Programme on Strengthening Freedom, Security and Justice in the European Union adopted at the European Council of 4-5 November 2004,
- having regard to the Tampere Programme adopted at the European Council of 15 and 16 October 1999 which established a coherent approach in the field of immigration and asylum,
- having regard to its resolution of 10 March 2009 on 'The Future of the Common European Asylum System' ⁽¹⁾,
- having regard to its position of 19 February 2009 on the proposal for a directive of the European Parliament and of the Council providing for sanctions against employers of illegally staying third-country nationals ⁽²⁾,
- having regard to its resolution of 5 February 2009 on the implementation in the European Union of Directive 2003/9/EC laying down minimum standards for the reception of asylum seekers and refugees: visits by the Committee on Civil Liberties 2005-2008 ⁽³⁾,
- having regard to its resolution of 18 December 2008 on the evaluation and future development of the FRONTEX Agency and of the European Border Surveillance System (EUROSUR) ⁽⁴⁾,
- having regard to its position of 20 November 2008 on the proposal for a Council directive on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment ⁽⁵⁾,
- having regard to its position of 20 November 2008 on the proposal for a Council directive on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State ⁽⁶⁾,
- having regard to its resolution of 2 September 2008 on the evaluation of the Dublin system ⁽⁷⁾,
- having regard to its position of 23 April 2008 on the proposal for a Council directive amending Directive 2003/109/EC to extend its scope to beneficiaries of international protection ⁽⁸⁾,
- having regard to its resolution of 26 September 2007 on the policy plan on legal migration ⁽⁹⁾,
- having regard to its resolution of 26 September 2007 on policy priorities in the fight against illegal immigration of third-country nationals ⁽¹⁰⁾,
- having regard to its resolution of 6 July 2006 on strategies and means for the integration of immigrants in the European Union ⁽¹¹⁾,
- having regard to the Treaty of Amsterdam pursuant to which powers and responsibilities in the immigration and asylum fields are conferred on the Community and to Article 63 of the EC Treaty,

⁽¹⁾ Texts adopted, P6_TA(2009)0087.

⁽²⁾ Texts adopted, P6_TA(2009)0069.

⁽³⁾ Texts adopted P6_TA(2009)0047.

⁽⁴⁾ Texts adopted, P6_TA(2008)0633.

⁽⁵⁾ Texts adopted, P6_TA(2008)0557.

⁽⁶⁾ Texts adopted, P6_TA(2008)0558.

⁽⁷⁾ Texts adopted, P6_TA(2008)0385.

⁽⁸⁾ Texts adopted, P6_TA(2008)0168.

⁽⁹⁾ OJ C 219 E, 28.8.2008, p. 215.

⁽¹⁰⁾ OJ C 219 E, 28.8.2008, p. 223.

⁽¹¹⁾ OJ C 303 E, 13.12.2006, p. 845.

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- having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of Committee on Civil Liberties, Justice and Home Affairs and the opinions of the Committee on Employment and Social Affairs, the Committee on Culture and Education and the Committee on Women's Rights and Gender Equality (A6-0251/2009),
- A. whereas migration into Europe will always be a reality as long as there are considerable differences in wealth and quality of life between Europe and other regions of the world,
 - B. whereas a common approach on immigration in the EU has become imperative, more so in a common area without internal border controls where action or inaction by one Member State has a direct impact on others and on the EU as a whole,
 - C. whereas poorly managed migration may disrupt the social cohesion of the countries of destination and may also be detrimental to countries of origin as well as to the migrants themselves,
 - D. whereas regular migration represents an opportunity from which migrants, their countries of origin (which benefit from their migrants' remittances), and Member States may benefit; whereas, however, progress in the area of regular migration must go hand-in-hand with effective action on combating irregular immigration, recalling notably that such immigration encourages the existence of criminal human trafficking rings,
 - E. whereas a genuine common migration policy for the Community must be based not only on the fight against irregular migration but also on cooperation with third countries and transit countries and on an appropriate policy for the integration of migrants,
 - F. whereas Europe's migration policies must comply with the norms of international law, particularly those that concern human rights, human dignity and rights to asylum,
 - G. whereas the EU is and must continue to be a welcoming environment for those who win the right to remain, be they migrants for reasons of work, family reunification, or study, or persons in need of international protection,
 - H. whereas migrants have played a vital role in the development of the EU and the European project in recent decades, and it is essential to recognise both their importance and the fact that the Union continues to need migrants' labour,
 - I. whereas, according to Eurostat, population ageing in the EU will become a reality in the medium term, with the working age population projected to fall possibly by almost 50 million by 2060; whereas immigration could act as an important stimulus to ensure good economic performance in the EU,
 - J. whereas the growth and jobs aspects of the Lisbon Strategy may be hindered by a shortage of labour, which may prevent the goals from being achieved, and whereas unemployment is currently rising; whereas this shortage may be addressed in the short term by appropriate and structured management of economic immigration,
 - K. whereas migrants often have to work as casual labourers or in low-skilled jobs, or in jobs for which they are overqualified,
 - L. whereas the EU should also increase efforts to address problems of labour and skill shortages internally, by tapping into currently underemployed sectors, such as people with disabilities, people at an educational disadvantage, or those who have been long-term unemployed asylum seekers already resident,

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- M. whereas the number of women immigrants is constantly increasing in the EU, accounting for approximately 54 % of the total number of immigrants,
- N. whereas most women immigrants encounter significant problems in integrating and in accessing the labour market due to their low level of education and the negative stereotypes and practices brought from their countries of origin, as well as the negative stereotypes and discrimination that exist in the Member States; whereas, nonetheless, many young women with a high level of education come to the EU to take relatively unskilled jobs,

General Considerations

1. Strongly supports the establishment of a common European immigration policy founded on a high level of political and operational solidarity, mutual trust, transparency, partnership, shared responsibility and joint efforts through common principles and concrete actions, as well as on the values –enshrined in the Charter of Fundamental Rights of the European Union;
2. Reiterates that the management of migration flows must be based on a coordinated approach taking into account the demographic and economic situation of the EU and its Member States;
3. Considers that the development of a common immigration policy could substantially benefit from an increased and regular consultation with representatives of civil society, such as organisations working for and with migrant communities;
4. Regrets that, so far, too little has been done to establish a common legal immigration policy and welcomes the new legislative instruments adopted within the framework of the common European legal immigration policy;
5. Emphasises that a coherent and balanced common European immigration policy adds to the credibility of the EU in its relations with third countries;
6. Reiterates that the effective management of migration requires the involvement of regional and local authorities and a genuine partnership and cooperation with third countries of origin and transit, which often have the impression that decisions are being imposed on them unilaterally; emphasises that such cooperation can only take place when the third country respects international laws on human rights and protection, and is a signatory to the 1951 Geneva Convention relating to the Status of Refugees;
7. Considers that immigration into the EU is not the solution to overcome the challenges faced by developing countries and that a common immigration policy must be flanked with an effective policy for the development of the countries of origin;
8. Welcomes the adoption of the above-mentioned European Pact on Immigration and Asylum and the actions, tools and proposals put forward by the Commission in its above-mentioned Communication on a Common Immigration Policy for Europe: Principles, Actions and Tools; calls on the Council and the Commission on to rapidly move to the implementation stage of these commitments;
9. Welcomes the institutional implications of the Lisbon Treaty, in particular the extension of co-decision and qualified majority voting to all immigration policies, the clarification of EU competence on visas and border controls, the extension of EU competence on asylum as well as the extension of EU competence in respect of legal and irregular migration;
10. Considers that a common immigration policy also necessarily requires the establishment of a common asylum policy, and recalls the above-mentioned resolution on the future of the Common European Asylum System (CEAS) and the Commission proposal for a regulation to establish a European Asylum Support Office;

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Prosperity and Immigration*Legal Migration*

11. Considers that legal migration continues to be necessary in order to address Europe's demographic, labour market and skills needs owing to the effect of demographic decline and ageing on the economy; it also contributes to the development of third countries through the cycle of exchange of knowledge and know how and through the transfer of migrant remittances; calls for the implementation of secure systems which facilitate these financial transfers to third countries;
12. Considers that regular migration must be the alternative to irregular immigration as it offers a legal, safe and organised entry route to the European Union;
13. Recalls that projections presented by the Commission estimate the need for 60 million migrant workers by 2050 and that this requires the opening-up of channels for legal migration;
14. Stresses the need for a comprehensive assessment of the EU's skills and market needs; considers, however, that each Member State should retain control over the number of persons required for its labour market needs and take into account the principle of Community preference as long as transitional measures apply;
15. Supports the development of national 'Immigration Profiles' with the purpose of giving an integrated picture of the situation of immigration within each Member State at any given moment, with labour market needs being a central aspect of these profiles;
16. Reiterates the need to increase the attractiveness of the EU for highly qualified workers, even through the availability of information on destination and host labour markets, taking account of the implications that this may have on the brain drain in countries of origin; considers that the brain drain can be mitigated through temporary or circular migration, by providing training in the countries of origin in order to preserve occupations in key sectors, particularly education and health, and by signing cooperation agreements with countries of origin; calls on the Member States to refrain from pursuing active recruitment in developing countries suffering from lack of human resources in key sectors, such as health and education;
17. Calls on the Commission and Member States to develop mechanisms, guidelines and other tools to facilitate circular and temporary migration as well as measures, in cooperation with the countries of origin, to offset the loss of human resources, offering concrete support for the training of professionals in key sectors weakened by the exodus of talent;
18. Welcomes the approach initiated by the document on the 'blue card' for a common legal immigration policy, but calls on Member States to make more progress towards common rules on an immigration policy which is not limited to highly skilled workers;
19. Expresses its satisfaction at the adoption of the blue card relating to conditions of entry and residence of third-country nationals for the purposes of highly qualified employment and urges the Commission to present initiatives for other categories of work as soon as possible, also with the aim of further countering irregular immigration and the exploitation of the undocumented immigrants;
20. Calls for new measures to further facilitate the reception of students and researchers and their movement within the EU;
21. Draws attention to the importance of recognising the skills of immigrants, paying particular importance to the formal, non-formal and informal qualifications obtained in their country of origin; considers that this recognition will combat the wastage of skills that is being seen repeatedly among immigrants, notably women, who often end up in jobs for which they are over-qualified;

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22. Calls on the Commission to take into account, in future documents on the issue, the question of skills recognition and the incentive for lifelong learning, also ensuring that the Member States provide immigrants with opportunities to learn the language of the host country in order to ensure their social, professional and cultural integration in the European Union and giving them an improved ability to support their children's development; calls also on the Commission to make use of the results of deliberations on the linguistic education of migrant children and the teaching in the Member State of residence of the language and culture of the country of origin, and calls for the framework which will be proposed to respect the principles of subsidiarity and proportionality;

23. Reaffirms that the European Employment and Job Mobility Network (EURES) network is an appropriate tool to ensure a transparent, responsible and effective balance between supply and demand in the labour market; therefore suggests expanding the concept of the EURES network to allow contact between European employers looking for workers with certain qualifications and job-seekers from third countries; proposes that Special Centres (already set up and to be set up) or EU Representations in third countries be used as a platform to extend the EURES network and to guarantee ongoing and expanded advice concerning tools and support for self-employment or recourse to micro-credit; stresses that Europe's need for highly skilled labour should not lead to a brain drain from third countries, with consequent damage to their emerging economies and social infrastructure;

24. Takes the view that immigrants from so-called third countries should be granted the right to mobility within the EU, so that - as legal residents in a Member State - they can take up employment as frontier workers in another Member State without being required to apply for a work permit, and that such immigrants should be granted full freedom of movement as workers following a period of five years' legal residence in a Member State;

25. Stresses the importance of coordination between the local and regional authorities, which have particular responsibility for training, and national and European authorities in managing labour market needs, in accordance with the principle of Community preference; emphasises that this cooperation is essential to effectively implement an immigration policy capable of filling the labour shortage experienced in certain sectors and Member States and to integrate immigrants effectively and appropriately;

26. Calls on the Commission to make more information available in countries of origin on the possibilities of legal migration as well as on the rights and obligations of migrants once they arrive in the EU;

27. Calls on Member States to make satisfactory use of Community funding mechanisms relating to immigration policy so as to create more and better jobs for migrants;

Integration

28. Stresses that integration enhances cultural diversity in the EU and should be based on social inclusion, anti-discrimination and equal opportunities, namely through the possibility of access to health, education, language training and employment; considers that integration policies should be also based on appropriate innovative programmes and acknowledges the key role played by local and regional authorities, trade unions, migrant organisations, professional federations and associations in the integration of migrants;

29. Supports integration efforts by the Member States as well as by regular migrants and beneficiaries of international protection, taking into account respect for the identity and values of the EU and its Member States, including respect for human rights, the rule of law, democracy, tolerance and equality, freedom of opinion and the compulsory schooling of children; recalls that integration is a two-way process which involves adjustments on the part of both the immigrants and the host population as set out in the common basic principles (CBPs) adopted by the Council and may benefit from the exchange of best practices; acknowledges that integration is more difficult to achieve in Member States which are facing significant migratory pressures due to their particular geographical situation, but must nonetheless not be abandoned as an objective; calls on other Member States to contribute towards alleviating such pressures in a spirit of solidarity, facilitating the integration of beneficiaries of international protection who are within the EU Member States, in parallel with the promotion of legal migration;

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30. Emphasises that a good integration process is the best tool to eliminate mistrust and suspicion between native citizens and migrants and is fundamental to removing any xenophobic ideas or actions;
31. Encourages the development of mutual learning mechanisms and the exchange of best practice between Member States in order to strengthen the ability of host countries to manage increasing diversity and also a system of common indicators and adequate statistical capacity to be used by Member States to evaluate immigration policy outcomes;
32. Recalls that a key element is the inclusion of migrant organisations who play unique roles in the integration process by giving migrants opportunities for democratic participation; calls on the Member States to facilitate systems for the support of civil society in the integration process through enabling migrants' presence in the host society's civil and political life, enabling participation in political parties, trade unions and the opportunity to vote in local elections;
33. Welcomes the initiative taken by the Commission and the European Economic and Social Committee to improve the coherence of integration policies by launching the European Integration Forum with the participation and involvement of social organisations and immigrants' associations, with the aim of exchanging experiences and drawing up recommendations; calls on the Member States to coordinate their integration efforts by exchanging the best practices contained in their national integration plans;
34. Calls on the Commission to take the necessary measures to ensure financial support for the structural and cultural integration of immigrants, also including the implementation of EU programmes such as Lifelong Learning, Europe for Citizens, Youth in Action and Culture 2007; notes that teachers are in most cases ill-prepared for having large numbers of migrant children in classes and calls for better training for teachers and for adequate financial support;
35. Highlights the fact that school programmes and lifelong learning play an important role in the integration process by developing skills, notably language skills; considers, too, that barrier-free participation in training programmes and lifelong learning should be a right and an opportunity for newly-arrived immigrants;
36. Calls on the Commission and the Member States to continue to promote anti-discrimination policies, including those implemented by the public authorities;
37. Calls on the Member States to respect and support the relevant directives: Council Directives 2000/78/EC ⁽¹⁾, 2000/43/EC ⁽²⁾ and 2004/113/EC ⁽³⁾, which seek to combat discrimination;
38. Calls on the Member States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families adopted by the United Nations General Assembly on 18 December 1990 ⁽⁴⁾;
39. Calls on the Commission to collect gender-related data on immigration into the EU and to arrange for the analysis of those data by the European Institute for Gender Equality in order to highlight further the particular needs and problems of women immigrants and the most appropriate methods of integrating them into the societies of the host countries;
40. Calls on the Member States, when drawing up their integration policies, to allow in the proper way for the gender dimension and for the specific situation and needs of migrant women;
41. Calls on Member States to guarantee respect for the fundamental rights of immigrant women, whether or not their status is legal;

⁽¹⁾ OJ L 303, 2.12.2000, p. 16.

⁽²⁾ OJ L 180, 19.7.2000, p. 22.

⁽³⁾ OJ L 373, 21.12.2004, p. 37.

⁽⁴⁾ A/RES/45/158.

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42. Calls on the Member States to support information campaigns aimed at migrant women, with a view to informing them about their rights, the possibilities of education and language training, professional training and access to employment, and to prevent forced marriages, female genital mutilation, and other forms of mental or physical coercion;

Security and Immigration

Integrated Border Management

43. Stresses the need for a comprehensive master plan setting out the overall objectives and architecture of the EU's border management strategy, including the details showing how all related programmes and schemes in this area can be better optimised; takes the view that, when considering the architecture of the EU's border management strategy, the Commission should analyse first of all the effectiveness of the existing border management systems of the Member States, in order to bring about the optimal synergies between them and provide additional information regarding the cost-effectiveness of the new proposed systems, Entry/Exit, Electronic System of Travel Authorisation, Automated Border Control and the Registered Traveller Programme, within the framework of EU integrated border management;

44. Emphasises that integrated border management should strike the right balance between ensuring the free movement of a growing number of people across borders and ensuring greater security for EU-citizens; does not deny that the use of data offers clear advantages; is, at the same time, of the opinion that public trust in government action can only be maintained if sufficient data protection safeguards, supervision and redress mechanisms are provided for;

45. Calls for an assessment on the feasibility of an integrated four-tier approach, whereby checks would be carried out systematically at each stage when immigrants are travelling to the Union;

46. Stresses that the EU border strategy should be complemented as well by concrete measures aimed at strengthening the third country borders within the framework of the Africa-EU Partnership and the European Neighbourhood Policy (the Eastern Partnership, EUROMED);

47. Calls for the replacement of current national Schengen visas with uniform European Schengen visas, allowing for equal treatment of all visa applicants; wishes to be informed on the exact timetable and the details of both the policy study and the technical study of the Commission which will analyse the feasibility, the practical implications and the impact of a system requiring third-country nationals to obtain electronic authorisation to travel before travelling to EU territory (Electronic System for Travel Authorisation, ESTA); calls for the improvement of cooperation between Member States' consulates and for joint consular services for visas to be set up gradually;

48. Calls on the Council to adopt arrangements based on solidarity among Member States with a view to sharing the burdens arising from border policing and to coordinate the Member States' national policies;

Irregular migration

49. Considers effective combating of irregular immigration as a crucial part of a comprehensive EU migration policy, and therefore regrets that effective decision-making in this field is hamstrung by the insufficient ability of the Member States to really work together in their mutual interests;

50. Expresses its shock at the human tragedy that is caused by illegal migratory sea routes, notably in the Union's southern maritime borders, where boat people leave the African shores on perilous journeys towards Europe; strongly calls for urgent action to stop this human tragedy once and for all and to reinforce dialogue and cooperation with the countries of origin;

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51. Recalls that irregular immigration is often operated by criminal networks which have, so far, proved to be more effective than common European action; is convinced that such networks are responsible for the death of hundreds of people whose lives are lost at sea every year; recalls that, in accordance with international obligations, Member States have a shared responsibility to save lives at sea; calls, therefore, on the Commission and on Council to redouble their efforts in the fight against organised crime, human trafficking and smuggling which occur in various parts of the EU, and particularly to try to dismantle all the networks by tackling not only the people smugglers, who are merely the visible linchpin, but those who, at the top of the ladder, derive the most advantage from these criminal operations;
52. Calls on the Commission to intensify awareness programmes in countries of transit and of origin on the dangers of irregular migration;
53. Welcomes the new Directive on sanctions against employers of illegally staying third-country nationals and considers it an effective tool in curbing the exploitation of migrant workers and to reduce the attractiveness of one of the main pull factors for irregular migration;
54. Urges the Member States not to delay the transposition of the new directive, which lays down penalties for employers who recruit illegal immigrants;
55. Believes it is essential to reinforce the channels of dialogue with the countries of origin and establish cooperation agreements with those countries, with the aim of eliminating the inhuman and catastrophic phenomenon of irregular migration;
56. Considers that, despite repeated increases in its budgetary means at Parliament's insistence, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) is not yet able to provide sufficient co-ordination of control efforts at the Union's external borders owing to its limited mandate and because of a lack of effort in engaging third countries, especially in so far as maritime operations are concerned;
57. Welcomes the Commission's initiative for a proposal to review the mandate of FRONTEX and considers that its reinforcement is urgently required, in particular by extending its coordination capacity and its ability to coordinate permanent missions in areas which face high migratory pressures at the request of the Member States concerned and its ability to engage with third countries; believes that emphasis should also be placed on increasing FRONTEX's risk analysis and intelligence gathering capacity;
58. Considers that FRONTEX requires adequate resources, not just financial ones, if it is to fulfil its mandate in a meaningful manner and calls for the deployment of new technologies to combat irregular migration on Member States to increase the pooling of technical means and on the Commission to bring forward legislative proposals to establish compulsory solidarity on the same basis as that envisaged for the Rapid Border Intervention Teams (RABITs);
59. Calls on FRONTEX and the Commission to carry out a study, with estimates, on the possibility of FRONTEX acquiring its own equipment and on the requirements for the possible upgrade of FRONTEX operations at sea into an EU coast guard without undermining Member States control of their borders;
60. Considers that FRONTEX can only be fully effective if efforts are intensified on complementary actions, such as readmission and cooperation with third countries; calls on the Commission to support FRONTEX in this regard;
61. Supports the establishment of specialised FRONTEX offices to take account and better assess the specific situations in borders of particular sensitivity, especially for the land borders to the East and the maritime borders to the South;

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62. Notes that differences in the interpretation of legal terms, the interpretation of the international laws of the sea and differences in national legislation and procedures have all hampered FRONTEX operations; calls for comprehensive studies to be carried out in order to seek a common approach and to sort out conflicting differences between national legislation and procedures;
63. Calls for further and constant cooperation between FRONTEX and national bodies and agencies;
64. Calls for further developments on the concept of a EUROSUR also by improving coordination between Member States;
65. Notes that fishermen, private vessels and private workers at sea often encounter illegal immigrants before a country's naval forces; stresses the need to inform such parties more clearly about their international law obligations to aid immigrants in distress and calls for a mechanism of compensation for lost work as a result of rescue operations;
66. Stresses that there is a clear need for reliable statistics in order to establish concrete tools for fighting irregular migration at EU level and calls on the Commission to take the necessary measures to provide those statistics;

Returns

67. Considers that migrants who are not entitled to international protection or who are staying irregularly on the territory of the Member States have to be required to leave the territory of the European Union; notes, in this regard, the adoption of the Return Directive and calls on Member States, in the context of its transposition, to preserve more favourable provisions already laid down in their domestic law; calls on Member States to ensure that returns are conducted with due regard to the law and the dignity of the persons involved, giving due preference to voluntary return;
68. Calls for a system of Return Counselling Services to be established in closed and open accommodation centres, serving as a contact point for persons wishing to learn more about return assistance;
69. Calls on the Commission to establish monitoring and support for social and professional reintegration mechanisms in countries of origin for migrants having been returned;
70. Calls on Member States to assign priority to gearing their readmission policies to a common policy in preference to bilateral agreements;
71. Calls, with regard to readmission agreements, for Parliament and its competent committees to be kept regularly informed, throughout the discussions with third countries, of progress and any obstacles encountered by negotiators;
72. Calls on the Commission to ensure that Member States only have bilateral readmission agreements with third countries providing full guarantees for the respect of the readmitted persons' human rights and having signed the 1951 Geneva Convention;
73. Calls on the Commission to pursue the effective enforcement of the obligation of third countries to readmit their nationals who are staying irregularly on EU territory, as envisaged in Article 13 of the Cotonou Agreement of 23 June 2000; calls for the strengthening of these provisions during negotiations on the new ACP (African, Caribbean and Pacific States) Agreement;
74. Stresses the need for a genuine European dimension in return policy through the mutual recognition of return decisions; urges more co-operation among Member States in the implementation of returns and the strengthening of the role of FRONTEX in joint return operations;

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75. Calls for the strengthening of co-operation, including through consular co-operation, with countries of origin and transit to facilitate readmission procedures, and calls on the Commission to evaluate existing readmission agreements with a view to facilitating their implementation and to draw lessons for the negotiation of future agreements;

76. Calls on the Council to consider enacting legislative provisions with a view to establishing a European 'Laissez Passer' issued to illegally residing third-country nationals with a view to facilitating readmission to third countries; action should be taken to incorporate the European 'Laissez Passer' in the Union's readmission agreements to render it binding on the third countries concerned;

Solidarity and Immigration

Coordination between Member States

77. Deeply regrets the fact that Member States have demonstrated insufficient solidarity in the face of the growing challenge of immigration; calls for an urgent review of the Framework Programme on Solidarity and Management of Migration Flows for the period 2007-2013 ⁽¹⁾ and its four financial instruments so that they may reflect new realities arising from increasing migratory pressures and be used to address urgent needs, such as in the case of situations of mass migratory influxes;

78. Notes the commitments made by Member States in the above-mentioned European Pact on Immigration and Asylum in relation to the need for solidarity; welcomes in particular the inclusion of a voluntary burden-sharing mechanism which enables the intra-EU reallocation of beneficiaries of international protection from Member States which are faced with specific and disproportionate pressures on their national asylum systems, due in particular to their geographical or demographic situation, to other Member States, and calls on the Member States to implement these commitments; welcomes also the allocation of EUR 5 million in the EU's 2009 budget for this purpose under the European Refugee Fund; insists, however, on the introduction of binding instruments; calls on the Commission to implement this mechanism forthwith and to propose immediately a legislative initiative to establish such a mechanism at European level on a permanent basis;

79. Welcomes the recast of the Dublin regulation and the proposed provisions for a mechanism to suspend Dublin transfers if there are concerns that Dublin transfers could result in applicants not benefiting from adequate standards of protection in the responsible Member States, in particular in terms of reception conditions and access to the asylum procedure, as well as in cases where these Dublin transfers would add to the burden on those Member States which are faced with specific and disproportionate pressures due, in particular, to their geographical or demographic situation; stresses, however, that these provisions would turn out to be a political statement rather than an effective instrument to seriously support a Member State without the introduction of a two-fold binding instrument for all Member States;

80. Welcomes the Commission's proposal for a recast regulation concerning the establishment of 'Eurodac' for the comparison of fingerprints, and reminds Member States of their obligations of fingerprinting and sending data under the current Eurodac Regulation; takes the view that biometric data, such as fingerprints, must be exploited to enhance the effectiveness of border control operations;

Cooperation with third-countries

81. Regrets that cooperation with third countries has not achieved sufficient results, with the notable exception of Spain's co-operation with third countries such as Senegal and other countries in sub-Saharan and north Africa; calls for targeted support for third countries of transit and origin to help them build an effective border management system, involving FRONTEX in border assistance missions in those countries;

82. Reminds the Commission, the Council and the Member States that it is essential to continue the dialogue initiated with countries of origin and transit as a follow-up to the EU-Africa ministerial conferences on migration and development held in Tripoli, Rabat and Lisbon;

⁽¹⁾ COM(2005)0123.

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83. Calls for implementation of the policy instruments developed within the framework of the 'Global Approach to Migration' ⁽¹⁾ as well as the 2006 'Rabat Process' on migration and development and the EU Africa Partnership on Migration, Mobility and Employment agreed in Lisbon in December 2007;

84. Stresses the importance of a development policy in third countries of origin or transit as a means of addressing the challenge of immigration at its roots; calls for an improved co-ordination of the Union's immigration and development policies, taking fully into account strategic objectives such as the Millennium Development Goals;

85. Observes, however, that development policy cannot constitute the only alternative to migration, as there can be no development based on solidarity without permanent mobility;

86. Calls for a strengthening of cooperation with the International Organisation for Migration and other international organisations in the establishment of new regional offices in sensitive areas where practical assistance concerning, inter alia, legal migration or voluntary return of immigrants, is required;

87. Stresses the importance of establishing Migration Information and Management Centres, as the one inaugurated in Mali in October 2008; believes that such centres should be able to contribute significantly to tackling migration problems by addressing the concerns of the potential migrants, returning migrants and migrants residing in EU; calls on the Commission to provide the necessary information regarding the projects of setting up other centres within the framework of EU-Africa Partnership and asks the Commission to look into the possibility of creating such centres in the Eastern neighbouring countries;

88. Stresses that all agreements with countries of origin and transit should include chapters on co-operation on immigration and calls for an ambitious policy with third countries on police and judicial co-operation to combat international criminal organisations engaged in human trafficking and to bring the persons concerned to justice, with the engagement of Europol and Eurojust; also calls on the Commission to intensify its support, including financial and technical assistance, in favour of third countries so as to create economic and social conditions discouraging irregular migration, drug activities and organised crime;

89. Calls on the Commission to promote the negotiation of global European agreements such as that signed with Cape Verde, to make progress in the global negotiations it is holding with Morocco, Senegal and Libya, and to promote the conclusion of agreements with immigrants' main countries of origin;

90. Calls for support for third countries in developing their national legislative framework and establishing immigration and asylum systems with full respect for international law, and calls on third countries of transit to sign and respect the 1951 Geneva Convention;

91. Calls on Member States to consider the issue of 'environmental refugees', migrants who cannot currently be regarded as economic migrants and who are also not recognised as refugees as referred to in the 1951 Geneva Convention;

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92. Instructs its President to forward this resolution to the Council, the Commission, and to the governments and parliaments of the Member States.

⁽¹⁾ COM(2006)0735.