

The background of the top section is a historical map of Europe, likely from the 17th or 18th century, showing various regions and cities. The map is rendered in a sepia or aged yellow tone. Overlaid on the map is the title 'FORUM natolińskie' in a large, white, serif font. 'FORUM' is in all caps and is significantly larger than 'natolińskie', which is in a smaller, lowercase, italicized serif font.

FORUM *natolińskie*

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PETER BOSCH
EMMA HADDAD

Migration and asylum: an integral part of the EU's external policies*

Since 1999, increasing attention has been placed on integrating migration into the EU's external relations, such that the external dimension has become one of the most innovative and fast-moving area of EU migration policy. This paper first looks at the current context in which policy in this field is being developed. It then briefly examines the evolution of the external dimension of EU migration policy, before looking at the recent direction policy has been taking and some new initiatives since the informal Summit at Hampton Court in October 2005 which set the course for the adoption and implementation of the Global Approach to Migration. Finally, it looks at some of the most recent developments and next steps on the horizon, as well as some of the remaining challenges to be overcome in this field.

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I. The current policy context of the external dimension of migration

The external dimension of the EU's migration policy is an extremely visible and politicised area. In 2006 it found its way onto every EU high level agenda: every formal and informal Council of Justice and Home Affairs (JHA) Ministers; every formal and informal General Affairs and External Relations Council (GAERC) comprising Foreign or Development Ministers; and every formal and informal European Council of Heads of State and Government. It was also the subject of two major Ministerial conferences on migration and development – one held in Rabat and one in Tripoli – as well as a High Level Dialogue on Migration and Development, organised by the United Nations in September 2006. It is expected that migration and related issues will remain high on the EU's agenda, not only because Europe will be confronted with increasing migratory pressures but also because it will need to find better ways to attract the right migrants its Member States will need for increasing tensions in their labour markets.

The need to integrate migration into external relations policy is now taken as a given. It is no longer a question of whether there should be action at EU level. Discussion now focuses on what type of EU action is needed, how quickly this action can be implemented and how much should be made available in terms of human and financial resources. Policy coherence for development (PCD) is one example of migration being integrated into external relations, and the migration and development agenda is exactly one area where PCD has been a real success story. Migration has been integrated in the new generation of country strategy papers (CSPs) and more and more migration related projects are receiving funding from the EC budgets. Various tools, explained in more detail later in this chapter, are being developed, such as migration cooperation platforms in third countries and migration profiles which are a compulsory annex of each CSP for all African, Caribbean and Pacific countries. 'Brain drain' is accepted as a real issue that needs to be addressed in the context of high-skilled migration and development. And the concept of 'conditionality' is no longer debated in the Council. Instead, there is now wide recognition that cooperation on migration should be promoted using positive means with the 'tranche incitative' as one example: third countries can receive additional funding for initiatives in good governance including in the area of migration.

Policy on the external dimension of migration is being developed in a specific global context. Migration is a reality – it will not go away. People have always moved and people will continue to move. For centuries Europe was a region of substantial emigration.¹ And although recently the numbers of people leaving the EU has increased, the EU is today a destination region for many migrants from all over the world and especially from developing countries. From 1990 to 2000 immigration accounted for 89% of population growth in Europe. In fact the EU constitutes the main area of destination globally.

With globalisation, the volume and scale of migration, both internal and international, have increased, and look set to continue to do so. In such a globalising world in which states, societies, economies and cultures in different regions of the world are increasingly integrated and interdependent, international partnership becomes a necessity in an effort to manage these movements effectively. When we think about migration today, images of young men from sub-Saharan Africa packed into small unseaworthy fishing boats attempting to cross the Mediterranean often come to mind. Migration however is so much more and can mean opportunities for countries and people, provided it is well-managed. The real challenge for the international policy arena is to find ways for migration to bring real benefits to all the countries concerned as well as the migrants themselves and ensuring that when an individual migrates, he or she does so out of choice and through safe and legal means. How to encourage migration means responding to real needs, looking at how to make such movement legal and reducing illegal flows, how to ensure that migrants will be treated in a humane and dignified manner, how to ensure that the countries of origin also benefit from these movements, and how to promote migration as asset in the development of the countries of origin and destination. Those are the key challenges policy makers are confronted with today and to which answers need to be found urgently.

According to the Global Commission on International Migration (GCIM), the number of people seeking to migrate from one country or continent to another is expected to increase in the years to come.² The GCIM found that the main reasons for this can be summed up by developmental, demographic and democratic disparities. Applying this analysis to the Africa, the following picture emerges: demographically, the African

continent is growing quickly. In 1950 Africa had a population of 221 million, representing 8.7% of the world population; that figure now stands at 800 million or 13.5% of world population. According to projections, population figures in Africa will reach 1.3 billion in 2025 and 1.75 billion in 2050. Meanwhile economic growth has not matched demographic growth, such that hundreds of millions of Africans live in poverty. In 2001, 46.4% of the Sub-Saharan population lived on less than US\$1 per day. Despite all the efforts of the international community, the gap between living standards in richer and poorer parts of the world is continuing to grow.³

The state of the labour market in developing countries also impacts on migratory movements. In many African countries, market oriented reforms have boosted the competitiveness of the national economy, but have failed to create sufficient jobs to absorb the growing number of people in the labour market, especially those without education and training. As a result, many young people face either long-term unemployment or under-employment. At the same time, Africa is confronted with large-scale environmental degradation which also causes many people to leave their homes. Unexpected events such as the locust invasion in the Sahel region in 2003 will most likely continue to urge people to seek refuge outside their countries of origin. And disparities in the area of democracy, governance, human rights and human security also contribute to international migration. There are still many African countries where the democratic process is fragile, where the rule of law is weak and where the public administration is inefficient. In addition, poverty, fear and continued conflict in many regions push people to search for a better life in more stable and developed regions, and Europe is often top of the list. At the same time, internal forced migration within regions is taking place on a large scale: 50 per cent of the world's internally displaced persons and 28 per cent of the world's refugees are in Africa.

Finally, the EU often provides a strong 'pull factor' for potential immigrants. Europe has the image of a place of opportunity. In reality, all industrialised countries need additional labour, especially a cheap and flexible workforce. While the demand is present, migrants will fill the gaps both legally and illegally, often taking the jobs that citizens will not do. At the same time, historical links attract migrants to different areas of Europe. Many

have networks of relatives and friends who can help them when they first arrive, and cultural ties and language provide another pull factor.

II. The evolution of the integration of migration into the EU's external relations

The origins of the integration of migration into external relations are generally attributed to a special Summit of European Heads of State and Government on Justice and Home Affairs, convened in Tampere, Finland, in 1999, in the light of mass movements of refugees being created in Kosovo at the time. Tampere committed the EU both to creating a common European asylum system as well as to working in partnership with countries of origin. The Conclusions of the European Council held in Tampere in 1999 demonstrated the first major reference to linking EU migration policy with external relations. They stated:

The European Union needs a comprehensive approach to migration addressing political human rights and development issues in countries and regions of origin and transit. This requires combating poverty, improving living conditions and job opportunities, preventing conflicts and consolidating democratic states and ensuring respect for human rights...To that end, the Union as well as Member States are invited to contribute...to a greater coherence of internal and external policies of the Union.⁴

Thus European Heads of State and Government linked the domestic and the external in this field, explicitly, for the first time. The importance of addressing the root causes of migration in countries of origin was therefore underlined. Conclusions of the Laeken and Seville European Councils followed a similar theme. Laeken in December 2001 called for 'the integration of the policy on migration flows into the European Union's foreign policy'.⁵ Similarly, Seville in June 2002 reinforced the external dimension of asylum and migration by stating that 'an integrated, comprehensive and balanced approach to tackle the root causes of irregular immigration much remain the EU's constant long-term objective'.⁶

In 2002 the Commission issued a Communication on *Integrating migration issues in the European Union's relations with third countries*.⁷ This document represented the Commission's first real attempt to push forward a strategy that used external relations

tools to address the root causes of migration and forced migration, in which the Commission argued for a complementary approach with existing development programmes. Indeed, this Communication was the first main step towards bringing EU migration and development policy together. The Hague Programme adopted in November 2004 built on these previous objectives and stated that 'a comprehensive approach, involving all stages of migration, with respect to the root causes of migration, entry and admission policies and integration and return policies is needed'.⁸

Most recently, the link between external relations and migration policy was made explicit once again under the UK Presidency when, in December 2005, the European Council adopted the *Global Approach to Migration*. This approach aims to formulate comprehensive and coherent policies that address the broad range of migration-related issues – from legal to illegal migration and combating trafficking and smuggling in human beings, and from strengthening protection for refugees to harnessing the positive links and synergies that exist between migration policy and development policy. As such, it brings together different policy areas – such as development, social affairs and employment, external relations and justice and home affairs – taking both short term actions as well as a longer term vision to address the root causes of migration and forced migration, including poverty and the lack of employment prospects. It has a strong theme of working in partnership with countries of origin and transit and comprises an ambitious set of actions to increase dialogue and cooperation between the EU and African states and regional organisations. The key concepts of 'partnership', 'solidarity' and 'shared responsibility' have become its mantra. Its commitment, as the Declaration of the Rabat Conference nicely summed up, is "to work together, in the framework of a global, balanced, pragmatic and operational approach, with respect to the fundamental rights and dignity of migrants and refugees, on the phenomenon of migratory routes".⁹

In a first phase, the Global Approach has focused on Africa and the Mediterranean.¹⁰ The UK Presidency had already put the issue of Africa and migration on the agenda of interior ministers when they met for an informal Council in Newcastle in September 2005. But the real impetus to the initiative came from events that occurred at the end of that month in Ceuta and Melilla, two Spanish cities on the North Africa's Mediterranean

coast. In the course of just five days there was a series of mass attempts to enter these cities. At one point around 700 people charged against two razor-wire security fences, with 200-300 managing to get over the border after the fence collapsed. A number of migrants lost their lives during their attempts to cross the border. These attempts were not isolated: in 2005 alone more than 12,000 individuals attempted to enter Melilla in the hope of getting into Spain, and many others tried to reach Ceuta.

Indeed, illegal migration from Sub-Saharan Africa has risen sharply in recent years, and by that September pressure on the borders had built up to a degree that could no longer be contained. These migrants are individuals fleeing poverty and conflict from across West and Central Africa, who see Ceuta and Melilla as their gateway to Spain and Europe. For them, crossing these highly controlled borders is their best chance of reaching the European Union, an alternative to an even more hazardous sea crossing. Most migrants are very much aware of the serious risks involved in attempting to make these journeys. Yet staying in their country of origin is not seen as an option. Of the 17,252 foreign illegal immigrants apprehended in Morocco in 2004, 90% were migrants from Sub-Saharan Africa.¹¹ As a result of cooperation at the border between Spain and Morocco, places such as Ceuta and Melilla represent the last opportunities to reach Europe. And the tight controls create a good market for traffickers, something many African countries simply cannot tackle adequately, notably for lack of adequate resources. Thus many people take the chance to make such a journey, often using the services of smuggling or trafficking gangs. The border between Morocco and Spain is just one of the places where the third world quite literally meets the first.

In the wake of the incidents in Ceuta and Melilla, migration rose straight back up to the top of the European agenda. When European Heads of State and Government met informally at Hampton Court in London in October 2005, they agreed that Europe needs to do more to stop this kind of migration – the kind where individuals feel that their only option is to put themselves in the hands of traffickers or smugglers and climb walls and fences. They recognised that insufficiently managed migration flows can result in humanitarian disasters, be they deaths at sea, in the desert or in the back of lorries. EU Heads of State and Government emphasised that responses to migration need to be taken

in partnership with all countries concerned – source, transit and destination. And that respect for international obligations regarding human rights and the protection of vulnerable groups of people must be the basis for such policy responses.¹² It was felt that the political guidance already provided at Tampere needed to be reinforced, but this time with a set of tangible measures aimed at tackling the main problems. The European Commission was invited to present proposals and suggestions urgently.

The Commission was quick to respond and subsequently issued a Communication, *Priority actions for responding to the challenges of migration* on 30 November 2005.¹³ Building on the Commission's Communication, European Member States identified a series of immediate, concrete measures to be taken forward in partnership with source and transit countries with a strong focus on North and sub-Saharan African countries. These measures were adopted by the European Council on 15-16 December 2005 as the '*Global Approach to Migration: Priority actions focusing on Africa and the Mediterranean*'.¹⁴ They constituted an ambitious agenda with action envisaged in three areas: strengthening cooperation and action between Member States, working with key countries of origin in Africa, and working with neighbouring countries in the Mediterranean region.

III. Post-Hampton Court: developments and successes

Work to implement the actions began straight away at the start of 2006. At the end of the first year work had started on all of the priority actions listed. It combined the efforts of the Commission, Member States, bodies such as the European Borders Agency (Frontex), and international organisations. The list of priority actions to implement was extensive, but bringing them all together under a political chapeau with the European Council's blessing has proved to be a very good way of focusing resources and attention. Implementing the Global Approach has required an adaptation of the institutional arrangements. Cooperation between the various actors has needed to be organised in a way that has allowed both political discussion and practical coordination. The High Level Working Group on Asylum and Migration has ensured the platform for policy dialogue and has allowed for preparation of political discussion. In order to promote concrete cooperation and coordination between the Member States, international organisations and the Commission, the Commission has set up a special experts' working group that

meets on a regular basis. Further, inside the Commission a special group of Commissioners dealing with migration and related subjects was created in August 2006. Under the Chair of Vice-President Frattini, Commissioners responsible for migration issues such as Commissioners for Development and External Relations, as well as all those with any interest in migration including the Commissioners responsible for Employment, Health, Economic Affairs and Education, have met on a regular basis to discuss the policy lines of the European Commission in this field. More and more Member States have also been restructuring their working arrangements in order to ensure a comprehensive approach to migration at the national level by bringing together officials from across the various ministries.

Implementation has also required the creation of new instruments. 'Migration profiles' have been developed as a tool to help bring together all the information required to develop policy in the field of migration and development and to monitor the impact of policies implemented. Such profiles collate data and statistics on a range of issues including migratory flows in and out of a particular country, the labour market situation and any specific sectors suffering from a lack of skilled personnel, links with diaspora communities, and figures on remittance flows into the country. They have then been used, for example, to integrate migration into Country Strategy Papers by making suggestions for programming of development assistance in the field of migration.

Cooperation platforms on migration are currently being developed as a further tool. These platforms aim to promote coherence in policy implementation by bringing together migration and development actors in a country or region, including representatives of the country concerned, the main donors – EU Member States and the Commission – and international organisations such as the World Bank, the various UN agencies, the IOM and the ILO, to coordinate the projects they are planning and to discuss progress, as well as to share best practice and experience and avoid any unnecessary duplication of efforts.

A key part of the work in the first phase has been the emphasis put on promoting dialogue with African countries and regional organisations on migration issues in a comprehensive and structured manner. At the continental level, ministers from the whole

of the EU and the whole of Africa met in Tripoli in November 2006 at a conference on migration and development. This was the first time ever that the EU and Africa met to take a joint commitment to working together on migration and development. Comprehensive dialogue and action has also been stepped up with the African Union. At the regional level, ministers from EU Member States also met their counterparts of North and Sub-Saharan Africa in an EU-Africa conference on migration and development held in Rabat in July 2006, which brought together some 60 source, transit and destination countries to talk about migration issues of common interest and concern for the first time. ECOWAS, the regional body representing West African states, has shown an increased interest in migration issues, and an EU-ECOWAS joint working group on migration has been established and met for the first time in the margins of the EU-ECOWAS Troika held in Luxembourg in April 2007.

Migration has also remained a key topic of interest in the EuroMed forum, and preparations have continued for a ministerial conference on migration to take place at the end of 2007. Finally, at the bilateral level, dialogue on the range of migration issues has been initiated with key Sub-Saharan African countries and has continued with Mediterranean countries, building on the considerable work already carried out in the European Neighbourhood Policy framework.

Dialogue at the multilateral, regional and bilateral level has tended to cover the broad range of migration issues of interest to both sides, looking specifically at where the EC can offer assistance in helping African countries to build capacity to better manage their own migration and asylum systems. In this regard, migration and development has been a key agenda item of this dialogue. While the list of priority actions agreed in December 2005 constituted the immediate focus, by including the migration and development agenda the Global Approach also encompasses the need to think in the longer term. Although quite a recent topic on the policy agenda, it is now widely accepted that migration policy can be good for development policy and vice versa, and much time continues to be spent discussing ways to better harness the positive links and synergies that exist between the two policy areas. This means looking at ways to facilitate remittance transfers and the developmental impact they may have,¹⁵ to better involve

diaspora communities in the development of their countries of origin, to enhance opportunities for circular migration, and to mitigate skill loss or brain drain and the negative impact it has on developing countries.¹⁶ It also means looking at the wider development agenda, in terms of job creation, poverty reduction and examining ways to use migration to contribute to achieving the Millennium Development Goals.

Dialogue with partner countries has examined many of these issues. The role of remittances has stood out as a particularly important issue for African countries, as has the brain drain. Of course, the increasing labour needs of industrialised countries have the potential to impact extremely negatively on the development capacity of developing countries. The examples of 'brain drain' in the health sector are well known. The shortage of nurses in most of the industrialised world is expected to increase sharply in the coming years with ageing populations across Europe needing medical attention and enrolment in nursing schools declining.¹⁷ In 1999 Ghana's losses to emigration included 320 nurses – the same number of nurses certified in the country each year – and twice as many were lost in the following year. In Kenya, health clinics have closed and many others are severely understaffed due to a lack of adequate personnel. At the same time, sub-Saharan low-income countries will need to double their workforce in the coming years, recruiting at least 620,000 nurses to be able to tackle their severe health emergencies.¹⁸ Around the same time as the adoption of the Global Approach to Migration, the Commission issued a Communication, *EU Strategy for Action on the Crisis in Human Resources for Health in Developing Countries*.¹⁹ This Communication recommends restraints on active recruitment of healthcare professionals from the developing world and cooperation with the WHO on these issues and also looks at how EU financial assistance can help developing countries address skills shortages in this key area.

Dialogue has also gone hand in hand with concrete action. Since 2004 the AENEAS programme for technical and financial assistance to third countries in the field of migration and asylum has funded a large number of projects across the geographical regions and across the spectrum of migratory issues. The list is extensive, but just to highlight a couple of examples, the AENEAS 2005 budget is currently financing several projects in the area of migrant remittances: projects in Moldova, Tagikistan, Ghana and

Suriname on developing a legal, regulatory and institutional framework for leveraging migrant remittances for entrepreneurial growth; one project to develop a model for using transnational networks to optimise migrant remittances between Ecuador and Spain; and an IFAD-led worldwide project on promoting better remittance transfers for migrants through micro-grants. The AENEAS budget line has now come to an end, but is being replaced with a new Thematic Programme on Cooperation in the field of migration and asylum with Third Countries, which should see many similar projects in the external relations field of migration being funded.

In addition, there are number of initiatives being funded by other budget lines, including the European Development Fund. The recent initiative to set up a Migration Information and Management Centre in Mali is one example. In February 2007 Commissioner for Development Louis Michel visited Mali and signed a joint declaration with the Malian authorities, Spain, France and ECOWAS to establish such a Centre. The Centre will provide information to potential migrants about opportunities for work and channels for legal migration at the national and regional levels, as well as in Europe; information about the risks associated with illegal migration; and information about return and reintegration for those migrants wishing to come back to their country of origin. It may also help with remittance transfers and co-development projects. The modalities for establishing the Centre are currently being worked out, and it will be up and running by the end of 2007. Building on the experience of this pilot project, similar Centres may be set up in other countries of the ECOWAS space in due course.

In addition to improving cooperation with third countries on all these issues, EU Member States have been working to reinforce cooperation between them in operational terms. The EU Borders Agency, Frontex, has coordinated several joint operations in the Mediterranean and Atlantic using the resources supplied by different Member States. Feasibility studies on a surveillance system for the southern maritime borders of the EU and a Mediterranean Coastal Patrols Network were carried out, as well as risk analysis reports on different migratory routes through Africa towards Europe. The EU has also taken steps to support those Member States particularly affected in times of mass influx of persons at their borders. The proposal for rapid reaction teams made up of national

experts from the different Member States has been adopted and these teams should become operational soon.

IV. Deepening the comprehensive approach to migration: next steps

In December 2006 the European Council welcomed progress with implementation of the comprehensive approach to migration. At the same time it suggested that an extension of the geographical coverage of the Global Approach to the eastern and south-eastern regions could be considered and that there was an increasing need for the EU to reflect on how legal migration opportunities could be incorporated into the EU's external policies in order to develop a balanced partnership with third countries adapted to the specific needs of EU Member States' labour markets. The Commission was invited to present detailed proposals on these issues.

On 16 May 2007 the Commission issued two Communications, one on each of these issues. The Communication on Applying the Global Approach to the East²⁰ suggested ways that the focus so far limited to African countries could be extended to the eastern and south-eastern regions neighbouring the EU. The proposals made by the Commission were warmly welcomed by the Council. On 18 June 2006 the General Affairs and External Relations Council agreed to the approach proposed by the Commission and a set of priority actions was adopted, similar to that which originally set out ways to develop dialogue and cooperation with Africa and the Mediterranean in December 2005. Once again, there is a section on increasing operational cooperation between Member States, for example by improving coordination with Frontex. There is then a section on ways to enhance dialogue and cooperation with neighbouring regions, which lists proposed actions across the wide spectrum of migration issues. Finally, there is a section that contains country-specific measures, which covers the Western Balkans, Turkey and the ENP countries and touches on Russia, Central Asia and Asian countries of origin. During negotiations on the text the newer Member States in particular, who are those more affected by flows of migrants coming from the east, expressed their appreciation for inclusion of the list of priority actions and called for their early implementation.

The second Communication focused on circular migration and 'mobility partnerships'.²¹ The idea for a mobility partnerships was first put forward by the Commission in its Communication on the *Global Approach to Migration one year on: Towards a comprehensive EU migration policy*.²² The underlying thinking is that specific 'packages' could be established between the EU and interested third countries that contain something for both sides – incentives such as visa facilitation, quotas from certain Member States, circular migration schemes, in return for cooperation on fighting illegal migration and issues related to return and readmission. The proposals are new and the detail of how exactly they will work now needs to be discussed thoroughly and worked out, but they have certainly set the direction for interesting developments on the comprehensive, rather than one-sided, agenda. On 18 June the Council agreed to give the idea of Mobility Partnership a chance. The Commission is invited to launch in depth discussions with the Member States and have exploratory talks with a limited number of third countries that could be interested in such a partnership. At the end of 2007 the Council will decide whether or not to launch pilot partnerships with a limited number of countries.

The same Communication proposed ways to develop opportunities circular migration, on the understanding that such migration can be good for the EU by filling specific gaps in the labour markets, good for the country of origin by way of individuals sending money home or returning with new skills and, not least, good for the migrant. Again, the feasibility of making sure circular migration stays circular, and indeed further thinking on whether it is always desirable for migration to be circular, will be the subject of in-depth discussion over the coming months with a view to adopting Council conclusions by the end of 2007.

As part of the longer-term approach, the EU and Africa are currently drafting a Joint EU-Africa Strategy.²³ The intention is that Ministers will adopt the Strategy at an EU-Africa Summit to be held in Lisbon at the end of 2007. It will set out the steps that the EU will take with Africa between now and 2015 to support African efforts to build a peaceful, democratic and prosperous future for all its peoples, with the primary aim of achieving the Millennium Development Goals and the promotion of sustainable development, security and good governance in Africa.²⁴ Migration is set to be a key part

of both the Strategy and the Summit, once again underlining the priority given to the domain by EU and African leaders alike. This longer-term approach is difficult and will take much time and energy before results are really seen, but only if we invest such time and energy will the real fruits of integrating migration into external relations really be borne.

V. Continued impediments to progress

Although Tampere is generally considered to mark the beginnings of attention on the external dimension of asylum and migration, this agenda has perhaps made the most progress since the end of 2005. Events in Ceuta and Melilla, it would seem, forced agendas of the different actors and players to converge at a time when there was a political appetite for such a move. This means not only within the Commission across the various Directorates General – JLS, RELEX and DEV – but also across a number of national ministries in Member States.

However, impediments to progress in the domain of the external relations side of EU migration policy still exist for a variety of reasons. First, much of the momentum in this field comes from politics, and politics is a volatile domain. What may be a political priority at the top of the agenda one day, may be overtaken by a different issue just some days later, often due to a new event making the headlines. Thus the focus on implementing the Global Approach to Migration and the continued emphasis on partnership and comprehensiveness may not last forever.

Second, the innovative approach now taken is a balanced one and has eye not only for the needs to the EU, but also for the third countries and the migrants themselves. It is evidence-based, rational and works with realistic and feasible targets. The political debate on migration and related issues is however often a highly emotional one and a swift move towards contra-productive approaches can never be excluded. The rotating Presidency system of the Council also of course sets priorities. Efforts are being made to ensure the EU will develop a more steady approach, for instance by developing a multi-Presidency programme.

Third, progress can also only be made if there are adequate resources. This is the case for the Commission, but also for Member States, and includes particularly EC Delegations and Member State embassies where officials frequently have to cover a whole range of issues in addition to migration. Resources also mean money. At the EC level, more funding is being set aside for migration. The new thematic programme for cooperation with third countries on migration and asylum adopted recently will have a budget of €384 million for the period 2007–2013. Other financial instruments not traditionally used for migration, such as the governance sections of the European Development Fund, will also be modified to allow for initiatives in the migration field.

Fourth, and very importantly, the approach the EU is now taking is innovative and will require the EU Member States to help implement the policies agreed. Will they live up to their commitments? While illegal immigration remains one of the most important issues for EU Member States, in dialogue with African partners the first topics that tend to be brought up by their side are legal migration opportunities for their nationals and respect for migrants' rights. The EU and its Member States underline that they follow a human rights centred approach and promote it in their external relations, but will they succeed in translating this into concrete policies? In autumn 2007 the Commission will submit a proposal for a Directive on the rights that third country workers will be able to enjoy once admitted to the territory of a Member State, even before they become long-term residents, with the aim of establishing conditions comparable throughout the Union for all migrant workers in a regular situation. This may be a concrete step in the right direction and help to demonstrate the EU is serious when it comes to migrant rights.

In the domain of legal migration a number of important positive steps towards an EU immigration policy that has benefits for third country nationals have already been taken, including adoption of Directives on admission of third country nationals for study and training and to carry out scientific research.²⁵ However, while the EU needs migration, in order to meet its labour needs, it needs *the right* migrants.²⁶ Being confronted with an inflow of many people that do not match current needs of the EU labour market, the EU and its Member States will not be able to compete effectively on an increasingly global labour market and will be receiving increasing numbers of people that can not be easily

integrated into the labour force, complicating their integration in their societies. The lack of socio-economic compatibility has serious consequences, both for the newly arrived and for EU societies.

Fourth, and perhaps most importantly, we must acknowledge that the first year of the Global Approach, 2006, was very much a year of agenda setting with Africa, and it now remains to be seen whether concrete implementation can match the political statements made and policy initiatives taken. Similarly, short-term actions must go hand in hand with the longer-term approach. Creating jobs and livelihoods in low-income countries will have a serious impact on migration and such a development can only be successful if and when countries of origin and destination are ready to share rights and responsibilities in a joint effort. Trade policies will also have to play an important role in promoting development, alleviating poverty and creating sustainable livelihoods. In fact, trade is the key to development. Participants in the Doha round of negotiations should seek to maximise the welfare gains generated by the multilateral trading system and find ways of attributing these gains in a fair and balanced manner. Governments need to assume real responsibility for the welfare of their citizens and creating the conditions in which people are able to meet their needs, exercise their human rights and realise their potential and fulfil their aspirations also needs to be part of the approach. One should hope that new and emerging global economic players will follow the traditions of the EU to systematically ensure respect for human rights is part of their relationship with developing countries.

VI. Conclusion

International migration will continue to pose serious challenges and opportunities to our societies in the years to come, but provided it is well managed and that all actors fulfil their responsibilities, most actors would agree that it can have a beneficial effect. The EU and its Member States, acting collectively, will need to meet their obligations so as to develop and implement the Global Approach in close cooperation with partner countries and international organisations. The current context in which the external dimension of EU migration policy is being developed would seem to be a healthy and constructive way of ensuring success.

Peter Bosch is Head of External Relations of Migration, DG Justice, Freedom, Security, European Commission

Emma Haddad is Policy Advisor in DG Justice, Freedom and Security, European Commission

¹ Between 1830 and 1930 around 60 million Europeans left their country, many heading for the USA and Canada. After World War II another five million left.

² Report of the Global Commission on International Migration (GCIM), *Migration in an interconnected world: New directions for action*, October 2005. The full report can be accessed on the website: www.gcim.org

³ Whereas per capita Gross Domestic Product in high-income countries was 41 times greater than that of middle-income countries in 1975, today that figure now stands at 61 (see GCIM report). And taking one specific example, the income gap between Spain and Morocco was around 1:4 in 1975, yet today it is around 1:14.

⁴ Presidency Conclusions, European Council, Tampere, 15-16 October 1999.

⁵ Presidency Conclusions, European Council, Laeken, 14-15 December 2001.

⁶ Presidency Conclusions, European Council, Seville, 21-22 June 2002.

⁷ European Commission, 'Communication on integrating migration issues in the European Union's relations with third countries', COM(2002) 703 final.

⁸ Presidency Conclusions: 'The Hague Programme', European Council, Brussels, 4-5 November 2004, 16.

⁹ Rabat Declaration July 2006.

¹⁰ Presidency Conclusions: 'The Global Approach to Migration: Priority actions focusing on Africa and the Mediterranean', European Council, Brussels, 15-16 December 2005. See also European Commission, 'Communication on the Global Approach One Year On: Towards a comprehensive European migration policy', COM(2006) 735 final. It is worth noting that the same European Council adopted a 'Strategy for the External Dimension of Justice and Home Affairs', which analysed the need to incorporate migration and asylum issues more firmly into EU external policy. International migration and asylum is one of the key themes used to highlight the proximity of justice and home affairs issues and external relations and to underscore the need to consider the issues together. See 'Strategy for the External Dimension of JHA: Global Freedom, Security and Justice', 15446/05 15 December 2005.

¹¹ Report of a technical mission of the European Commission services, October 2005.

¹² The current overall framework for EU migration and asylum policy is provided by the Hague Programme, an ambitious 5-year work programme adopted by European Heads of State and Government in December 2004. It has a strong emphasis on immigration and the need to develop the external side of migration and asylum policies of the EU.

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- ¹³ Communication of the Commission, 30 November 2005, COM(2005) 621 final.
- ¹⁴ Conclusions of the European Council, 15-16 December 2005, pages 2-3 and 9-14.
- ¹⁵ While accurate figures are hard to obtain, the World Bank estimates that the annual value of formally transferred remittances in 2004 was about \$150 billion, representing a 50% increase in just five years and almost three times the value of Official Development Assistance. GCIM report, p.26.
- ¹⁶ See Communication of the Commission, 1 September 2005, COM(2005) 390 final.
- ¹⁷ A number of EU Member States look to developing countries for the direct recruitment of medical staff. The United Kingdom, for example, has relied on nurses coming from African countries such as Botswana, Ghana, Malawi, Nigeria, Kenya, South Africa, Zambia and Zimbabwe – all former British colonies – many of which have been among those hit hardest by the HIV pandemic. See S. Chagututu and S. Vallebhaneni ‘Aiding and Abetting – Nursing Crises at Home and Abroad’, in *The New England Journal of Medicine*, vol. 353, no. 17 (2005). It should be noted, however, that the UK has a Code of Conduct for ethical recruitment in the health sector. And it is not only in the EU with shortages in health sector personnel: 126,000 nursing positions are currently unfilled in US hospitals.
- ¹⁸ L. Chen, T. Evans, S. Anand et al. *Human resources for health: overcoming the crisis*. Lancet : 2004, p.364; 1984-90.
- ¹⁹ Communication of the Commission, 12 December 2005, COM(2005)642 final.
- ²⁰ Communication of the Commission, 16 May 2007, COM(2007) 247 final.
- ²¹ Communication of the Commission, 16 May 2007, COM(2007) 248 final.
- ²² Communication of the Commission, 30 November 2006, COM(2006) 735 final.
- ²³ Building on *The EU and Africa: Towards A Strategic Partnership*, 19 December 2005, 15961/05.
- ²⁴ On migration specifically, the strategy sets out to “maximise the developmental benefits and minimize the negative aspects of migration and strengthen protection for refugees, through engaging in balanced dialogue and cooperation with the AU, other African organisations and states on a broad range of migration issues”.
- ²⁵ *Directive on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service* Official Journal L 375, 23/12/2004, p.0012-0018; and *Directive on the admission of third-country nationals to carry out scientific research* Official Journal L 289, 03/11/2005, p.0015-0022.
- ²⁶ Recent studies have highlighted that 54% of first generation immigrants from North African and Middle Eastern countries with a university degree reside in Canada and the USA, while 87% of those with a lower than primary, primary or secondary level education are in Europe. See the Consortium on Applied Research on International Migration 2005 report, p.21: www.carim.org
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