



# 6 Pillars for a European Pact on Migration and Asylum

## **Abstract:**

Migration is not a new phenomenon, it is a part of human nature. Since ancient times, people have migrated across Europe, or even across the globe, in search of a better life or to flee from war or crises. Due to globalisation the world feels a smaller place. Technological development has enabled instant global communication. People, communities and even countries interconnect digitally, despite being physically far apart.

Our environment and society will continue to change and develop, both online and offline. Demographic changes, conflicts, climate change, shifts in the political and economic world-order and increasing social welfare needs are but a part of the challenges facing the international community today.

**renew europe.**

## About Renew Europe Group

The Renew Europe Group is a coalition of progressives, liberals, democrats and reformists, that make up the largest centrist group in the history of the European Parliament. Brought to you from the European Liberal Forum, this new reference series aims to disseminate Renew Europe Group positions to the wider liberal family, policymakers and industry stakeholders, civil society and the general public. While, at the same time, the position papers will raise awareness on a number of issues and policy sectors, from sustainability and climate change, to democracy and the rule of law, human rights and fair competition.

This document is a position paper adopted by the Renew Europe group in the European Parliament on 8 January 2020, which ELF is publishing with Renew Europe permission. The opinions expressed in the document do not preclude any further developments in the group's positions on that topic. It remains the sole propriety of the Renew Europe group.

## About ELF

The European Liberal Forum (ELF) is the official political foundation of the European Liberal Party, the ALDE Party. Together with 47 member organisations, we work all over Europe to bring new ideas into the political debate, to provide a platform for discussion, and to empower citizens to make their voices heard. Our work is guided by liberal ideals and a belief in the principle of freedom. We stand for a future-oriented Europe that offers opportunities for every citizen. ELF is engaged on all political levels, from the local to the European. We bring together a diverse network of national foundations, think tanks and other experts. In this role, our forum serves as a space for an open and informed exchange of views between a wide range of different EU stakeholders.

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Recent years have shown that the existing European policy on asylum and migration is not fit for purpose in a changing world. When asylum procedures no longer function as intended; when the most labour-intensive part about the Blue Card is the procedure itself; when weak external borders drive us to compromise internal free movement; when internal EU-politics prevent us from taking humane action abroad; when we condemn deaths at sea but uphold an asylum system that forces people to migrate irregularly; when the return of rejected asylum seekers remains problematic to execute; when the only thing up and running is the business model of smugglers and traffickers; when EU-governments simply cannot say they are in control, then it is time for a Renew Europe Pact On Migration And Asylum for Europe.

The Renew Europe Vision for a European pact on Migration and Asylum is not about 'more' or 'less' migration, but about proposals that are transparent, humane, sustainable and showing that we are in control. Migration policy is about people, the ones at home in Europe, the ones striving for a better life, the ones in need of protection. We propose a future-proof and comprehensive approach to migration and asylum based on our common values of solidarity, human rights and respect for the rule of law. This means that we do not single out any particular proposal. The external dimension of migration, the renewal of our asylum and labour migration systems through solid legal pathways, the fight against human traffickers and smugglers, tackling irregular migration, enhancing our return and readmission policy, strengthening our external borders and fostering open internal borders, go hand in hand.

Renew Europe calls for a pact based on six interlinked pillars:

- Pillar 1: A EUROPEAN MIGRATION POLICY IN AN INTERNATIONAL PERSPECTIVE**
- Pillar 2: AN ASYLUM POLICY THAT WORKS**
- Pillar 3: A SUSTAINABLE RETURN AND READMISSION POLICY**
- Pillar 4: A WELL-MANAGED EXTERNAL BORDER - AT LAND AND SEA**
- Pillar 5: A COORDINATED EUROPEAN LABOUR MIGRATION POLICY**
- Pillar 6: A SUSTAINABLE APPROACH TO INTEGRATION**

**PILLAR #1**

# A European migration policy in an international perspective

Migration is an international phenomenon that originates beyond our borders and therefore cannot only be addressed as an internal EU-policy. The EU needs to adopt a “whole of government” approach to migration, connecting it to other relevant external policy areas like foreign policy, international trade and development aid. In fact, migration policy should be a cornerstone of the EU’s external policy. We need to address the root causes of migration and forced displacement through engagement with countries of origin in order to have a chance of tackling these challenges but also profiting from the opportunities of migration. To that end, the EU must show a real commitment to building sustainable partnerships with countries of origin and transit. These partnerships cannot be one-size-fits-all; they must consider the individual circumstances of migrants, the particular national context of each country as well as European interests. Beyond financial support, these partnerships must be built on sustainable political and economic cooperation between equal partners. Shared responsibility and the respect for human rights must be the basis of cooperation.

**Therefore, Renew Europe calls for:**

- A **constructive migration dialogue** with countries of origin and transit aligned with other areas of cooperation to advance governance and partnerships on migration and mobility, on effective return, readmission and reintegration policy and on fighting smuggler and human trafficking networks.
- **Improved legal pathways for low, medium and high skilled workers**, in partnership with third countries. Policies to reduce skill and brain drain from third countries and enhance brain gain for third countries should be part of this dialogue.
- **Intensified efforts for adequate and dignified reception facilities close to the home people fled, supported by the EU.** This requires enhanced financial support and increased cooperation with international partners such as governments, UNHCR and IOM to improve, ensure and monitor humane conditions and respect of fundamental rights for migrants in countries of transit and origin. Close cooperation with local communities, authorities and relevant migration partners to advance the situation for both the host community as well as the migrant population is also key. Refugee camps must not be regarded as permanent settlements. Special attention will be paid to adequate sanitary conditions and access to education for children.

- **Creation of new safe and legal pathways for refugees, for instance through cooperation with international partners on resettlement programmes from safe third countries to the EU.** This protects refugees against smugglers and traffickers and from a traumatic journey, while unburdening countries in the region of crises taking responsibility in hosting refugees. Screening through UNHCR will provide the opportunity to resettle the most vulnerable refugees, improve the completion of resettlement programmes and allow Member States to prepare for their arrival.
- **Targeted and objective information campaigns** about the realities of migration to counter information provided by smugglers.
- **Development, trade and economic policies that help create the conditions for people to build an autonomous prosperous life at home.** No one-size-fits-all approach. Special focus must be on youth's access to education, training and the acquisition of skills in tune with the local economy to lift people out of poverty.
- **Sustainability at the core of every trade deal and investment program** with countries of origin. These must aim at generating long-term prosperity for both parties.
- **Human rights as well as democracy and good governance promotion** must be at the heart of political cooperation, which cannot be limited to security cooperation only. A genuine engagement with civil society is key to advance democratic processes in illiberal regimes and avoid failures of state structures.
- **Funds to be channelled through international organisations** on the ground to ensure that aid reaches the ones in need.

## PILLAR #2

# An Asylum Policy that works

The European Union is built on shared values and the respect for fundamental rights and the rule of law. In the field of asylum and migration, a cornerstone for upholding EU values is the commitment of the EU and its Member States to the achievements as set out in the 1951 Geneva Convention to protect those people who are fleeing war, serious harm or persecution. These people, children in particular, are vulnerable and deserve our protection. Within the EU, the current asylum system is unfit to respond to the varying number of arrivals, changing countries of origin and different migration motives. This unpredictability has put a strain on European solidarity and equal burden sharing. Besides working towards a migration policy based on intensified efforts to provide adequate shelter close to people's homes as well as safe and legal pathways to the EU, our asylum policy is in need of reform.

### Therefore, Renew Europe calls for:

- **European reception centres** at main points of irregular arrival in the EU with cooperation between Member States, local authorities, EASO, the European Border and Coast Guard agency, Europol, IOM and NGO's. It is a shared European responsibility to provide adequate and dignified shelter and humane reception of new arrivals at these European reception centres, without prejudice to access asylum procedures elsewhere in the EU.
- **Registration of applicants** directly on arrival and **mandatory security controls** of all applicants with checks against all relevant national and European databases.
- **A solidarity mechanism** to be developed ensuring fair sharing of solidarity and responsibility between Member States, including relocation based on objective criteria.
- **The establishment of a carefully calibrated filter.** Applicants that have very low chance of receiving a legal refugee status, based on this filter, will not take part in relocation. Where relevant and possible, without unnecessary prolonged periods of detention, they will have their return decision processed in the European reception centre. This procedure is without prejudice to the individual asylum assessment.
- Applicants who have a **manifestly well-founded application will take part in the solidarity mechanism**, where relevant taking into account proven links to a specific Member States.
- **Stronger governance of the EU asylum policy and matching resources to ensure enhanced streamlining of asylum procedures and operational standards between Member States.** Asylum authorities in the Member States should share relevant information to swiftly but adequately process asylum requests in order to minimise the differences between Member States in similar applications and to build on common knowledge dealing with applications from specific countries. This enhances mutual recognition of asylum decisions, fostering comprehensive European cooperation.
- **Enhancing the quality of decision making in the application procedure**, avoiding unnecessary and endless appeals procedures and unnecessary waiting periods before applicants can start their life in the host society.
- **Adequate implementation by Member States of all relevant asylum laws and regulations** and the European Commission to step up its efforts in safeguarding this proper implementation.
- **Finalising the transformation of EASO into a full-fledged EU Asylum Agency (EUAA).** The EUAA needs to function as a true hybrid agency with adequate resources, in charge of monitoring and capable of providing technical and operational support to Member States, ensuring quick and thorough procedures providing clarity to those applying for asylum and enhancing coherence between Member States.

- **Enhanced cross-border cooperation, information sharing and coordination between Member States to address the issue of missing (unaccompanied) children**, establishing effective mechanisms to tackle the risk of (re)trafficking.
- **Research into the motivations and pathways taken by migrants in order to continue improving EU asylum policy.**

### PILLAR #3

## A Sustainable Return and Readmission Policy

Recent years have exposed challenges and flaws in our return and readmission policy. Not every asylum applicant in the European Union is fleeing from war, serious harm or persecution, also due to the lack of legal pathways to the EU. The rejection of asylum applications is not automatically followed by return and readmission due to practical and legal obstacles. This poses a strain on local facilities and public society support but also on the people in question. Besides improved efforts to facilitate their reintegration in third countries and minimising the period of uncertainty, the EU must enhance its efforts on returns and readmissions.

### Therefore, Renew Europe calls for:

- **Intensified efforts to increase voluntary returns**, as these prove to be more sustainable and to tackle the issue that forced returns to some third countries often proved to be close to impossible.
- **Enhancing information sharing and coordination on rejected asylum applications** in order to effectuate return and readmission procedures.
- **European coordination between Member States on returns and readmissions**, with sufficient operational capacity within the European Border and Coast Guard agency (EBCG).
- **Mutual recognition of return decisions**, in line with required fundamental rights guarantees, fostering European cooperation between Member States and enhancing joint return operations organised by the EBCG.
- **New formal return and readmission agreements with safe third countries** to be concluded, in accordance with international law and fundamental rights. Existing readmission agreements need to be effectively implemented. These agreements address adequate reintegration, enhancing sustainable return and readmission.
- **Using tailor-made instruments like targeted visa incentives for cooperative countries or visa sanctions** to enforce effective return and readmission policy if the implementation of international agreements fail.

**PILLAR #4**

# A Well-Managed External Border - At Land and Sea

Free movement within the Schengen area is one of the major achievements of European integration. In order to preserve free movement and facilitate further phasing-out of internal borders within the EU, the EU requires strong external borders. Many laws and regulations regulate our European borders, and include more than migration management. Our common external borders also provide security to our citizens. Guarding these borders is the responsibility of the Member State in question, but the EU should show solidarity and support through a strong presence of the European Border and Coast Guard (EBCG) at our external borders. Therefore, reinforcing the operational capacity of the agency is a necessary and welcome step.

Our border management should be about security and adaptability to crises on the one hand and innovation and implementation of new technologies on the other hand.

**In this context, Renew Europe calls for:**

- **Interoperability in the area of visa and borders** to ensure better information exchange, as well as rapid and thorough checks at the external borders of the EU. All relevant EU databases shall be included.
- **Member States to implement and enforce the obligations to register at Schengen border crossings.** Member States at EU's external border will receive additional support to fulfil these obligations.
- **Enhanced use of innovative analyses in border management** to improve our knowledge base and adjust operational support accordingly, for example through accessing anonymous statistics by competent migration authorities in line with EU data protection and privacy standards. This will contribute to a better understanding of migration patterns.
- Developing policy to **address unwanted secondary movement** within the EU, such as by harmonising reception conditions and whilst respecting that Schengen is an area without internal borders.

On a daily basis, many lives are lost at sea in an attempt to reach European shores. Besides our commitment to prevent human tragedies from happening, comprehensive European coordination is needed in those situations where despite these efforts, people are in distress at sea. A comprehensive approach to migration also means tackling the cynical business model of traffickers and smugglers. It

is an international responsibility to prevent people from boarding unsafe boats and falling in with criminal mafias, by providing safe places for refugees close to home and create safe and legal pathways to the EU.

### Therefore, Renew Europe calls for:

- **Sufficient operational support within the European Border and Coast Guard agency (EBCG)** to be able to provide help to people in distress and have adequate rescue capacity in the vicinity when a rescue operation commences. Search and rescue operations remain under the command of national Maritime Rescue Coordination Centres.
- **Coordinated and improved European action on search and rescue missions between the competent authorities in the Member States and the EBCG** is necessary to simultaneously work on a sustainable approach on migration.
- **Central coordination of search and rescue operations by the national Maritime Rescue Coordination Centres** in full compliance with international and EU law in order to provide adequate first aid to people in distress and to have a safe place of disembarkation available. Private vessels may assist in these rescue operations, in coordination with the national Maritime Rescue Coordination Centre. Humanitarian assistance provided in these rescue operations shall not be criminalised or prosecuted.
- **The reinforced European Border and Coast Guard to step up training programmes and cooperation** with both European and where relevant, international coast guards, to increase the level of knowledge and expertise, including on all relevant laws and regulations.
- **Enhanced capacity with Europol** and Eurojust in the fight against human trafficking and smuggling networks, with specific aims at protecting victims and vulnerable migrants, such as children.

## PILLAR #5

# A Coordinated European Labour Migration Policy

In light of demographic changes, the EU needs to become more attractive for low, medium and high-skilled workers to respond to growing labour and skills' shortages across EU Member States and ensure continuing prosperity and competitiveness. While this remains mostly in the remit of the Member States, the EU should provide a broad framework to enable orderly labour migration and avoid pushing migrants to use irregular migration channels. We need to improve legal pathways to the European Union and overcome the disadvantages posed by the

current asymmetric patchwork of national regulations, which often imply highly bureaucratic procedures. If well designed, humane and well-managed labour migration can be a source of prosperity, innovation and growth, both for sending and receiving countries.

### Therefore, Renew Europe calls for:

- An **unbureaucratic harmonised application procedure** for low, medium and high skilled workers. This will be based on a skills-led **European talent pool** of applicants, where Member States can select specific skills and meet the demands of their national labour market. This will tackle the current mismatch between skills supply and labour demand. Participation of Member States in this pool would remain voluntary. This should be complemented by increased coordination between national authorities and schemes to take into account national specificities and different demands of national labour markets. The EU legislation serves as a toolbox to improve procedures.
- A **European 'points system' framework** shall be developed to meet national demands and at the same time facilitate and ease circular migration.
- An **acceleration in the mutual recognition of skills and diplomas**, between third countries and the EU but also intra-EU. We need to invest more time into developing partnerships with countries of origin to increase mobility and training of apprentices, students and workers and enable the **transfer of acquired skills** between both economies. Cooperation between EU Member States and countries of origin (authorities on all levels) to address specific labour shortages on both sides and allow brain gain is key.
- Work permits, whether permanent or temporary, to provide migrants with a **long-term perspective** (acquiring the right to indefinite stay, citizenship) but also enable circular mobility that allows people to return to their countries of origin (brain gain).
- **New EU visa for start-ups and entrepreneurs** to allow for attracting innovators from third countries.
- **'Track-changing'** to build on the potential of well-integrated refugees by allowing them to apply for labour migration visa once their protection status has expired and if they are well integrated.
- **Applications for work permits from countries of origin and transit** (online, embassies, consulates) to be prioritised. This will discourage migrants from migrating irregularly and ease the burden on the asylum system, currently strained by labour migrants applying for asylum.
- **Regular EU-Africa** summits to agree on specific skills and labour market goals - as part of the larger migration dialogue.
- **Targeted information campaigns** to increase public support for immigration in the EU and in countries of origin. Demonstrating the added-value of legal migration is key to a positive narrative.

- **Member States to develop sustainable solutions to tackle the informal economy** and prevent the exploitation of irregular workers.
- **The Commission to develop solutions to end the abuse of investor citizenship schemes ('golden passports') and the abuse of investor residence schemes ('golden visa')** as they pose a risk to the EU and Member States, particularly in terms of security, money-laundering and corruption.

## PILLAR #6

# A Sustainable Approach to Integration

Integration of refugees and labour migrants is a necessary condition for the long-term success of our asylum and migration policy. While this remains mostly in the remit of Member States, a new approach, supported by the EU, is necessary to foster a climate of acceptance in societies, particularly when refugees and labour migrants qualify for permanent stay. Sustainable integration policies are a necessary and life-long investment in people and therefore also an investment in sending and receiving societies. The acquisition of education and skills is an investment for people returning home and an investment in countries recovering from war.

### Therefore, Renew Europe calls for:

- **Member states - where they have not done so - to develop integration policy.** National integration policy shall be supported by EU funds and its adequate implementation shall be monitored accordingly. Strategies should be tailored to local contexts and dynamics and designed in partnership with local authorities. NGOs can play a key role in providing operational support.
- **A strong focus on pre-arrival and post-arrival integration.** It is important that refugees and migrants have swift access to proper language courses, education, professional and apprenticeship opportunities and administrative support before or swiftly after their arrival.
- **Member States to use experience of well-integrated migrants, civil-society and lessons learned from existing integration** processes to develop integration programmes for new arrivals.
- **Access to labour market** as the crucial step to integration of both refugees and labour migrants. When fulfilling requirements, refugees should be able to access work on the same conditions as labour migrants would be.



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