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'Divisions of labour: rethinking Europe's migration policy'

By Jakob von Weizsäcker

MEDIA MEMO

What is the background of this Blueprint?

The 'Immigration and Asylum pact' is scheduled to be adopted by the EU Council on 15 October 2008 and is one of the French Presidency's top priorities which is welcomed since it provides new momentum for the current legislative proposals and stands to shape the EU's next work programme on immigration beyond 2010. Past experience shows however that the development of a common European immigration policy is, politically, a particularly difficult undertaking:

1. **History.** There are major differences in tradition, outlook and migration experiences between member states, so that preferences are diverse.
2. **Politics.** Immigration continues to be a politically divisive subject within most member states. As a consequence, national priorities can be volatile.
3. **Sovereignty.** There is a natural reluctance to delegate decisions about who is allowed to enter a country and who is not to the European level since such decisions are often seen as one of the defining elements of national sovereignty.

Under the Hague programme which extends until 2010, the EU has started to develop a common European immigration policy. But progress to date has been limited, and the failed Irish referendum on the Lisbon Treaty in early 2008 further delays the introduction of much needed qualified majority voting on immigration policy.

What is the 'Immigration and Asylum Pact'?

This pact on immigration is structured around the following five themes:

1. Organising legal immigration to take account of the priorities, needs and reception capacities determined by each member state, and to encourage integration. version of the pact.
2. Controlling illegal immigration by ensuring that illegal immigrants return to their countries of origin or to a transit country.
3. Making border controls more effective.
4. Constructing a 'Europe of asylum'.
5. Creating a comprehensive partnership with the countries of origin and of transit in order to encourage the synergy between migration and development.

What are the main challenges the EU faces in terms of migration?

1. **Flow.** Migratory pressure is on the increase as the populations of poorer countries in the greater neighbourhood of the European Union become more mobile.
2. **Stock.** EU member states with a significant stock of immigrants are confronted with a major integration challenge as the aspirations of many second-generation migrants are frustrated by poor education and poor labour market performance. If integration policies fail, large ethnic underclasses may become a permanent feature in the EU.
3. **Talent.** Global competition for high-skilled workers has intensified owing to skillbiased technological change and globalisation, and the EU struggles to attract and retain top talent. With the internal mobility agenda in the aftermath of EU enlargement settled for better or for worse, the time to address the external migration challenge is now.

Which EU Member States are most affected by migration flows?

When countries join the EU, their citizens also become EU citizens and, as a consequence, also benefit from the right to freely move, reside and work anywhere in the EU. During the past decade, immigration to the 15EU has increased substantially. Spain experienced the most rapid increase in the stock of foreign-born among OECD countries, adding 9 percentage points of foreign-born over the past decade. But Ireland (+7 percentage points), Austria and the UK (both +3 percentage points) also experienced an uncommonly rapid increase in their stock of foreign-born. And there are signs that even the 12 new EU member states, many of which initially experienced substantial migration outflows, are increasingly

experiencing immigration from poorer EU neighbourhood countries. Compared to the US, a traditional immigration country, the EU15 are catching up fast with respect to the stock of foreign-born as a proportion of the native population. However, the differences in migration experiences among the EU15 remain large, let alone among the EU27.

Which are the reluctant EU member states?

During the 2007 enlargement, EU15 member states were allowed to delay the introduction of free movement for workers from the new member states in Eastern Europe for a period of up to 7 years. Any restrictions would have to be reviewed after the initial 2 years and then after another 3 years with a view to lifting the restrictions should they no longer be deemed necessary. All restrictions will be lifted at the latest in 2014.

Germany and Austria are particularly reluctant to lift restrictions, possibly on account of their geographic proximity to Eastern Europe. But irrespective of whether these restrictions may have made sense for some EU15 member states during a transitional period, they will have to be lifted soon. All restrictions on citizens of the 8 new members states in eastern Europe which joined the EU in 2004 will be lifted by 2011 at the latest. For the 2 new member states which joined in 2007 (Bulgaria and Romania) restrictions will be lifted by 2014 at the latest.

Which part of these challenges needs to be addressed at the EU as opposed to the national level?

This is the key question underlying the current debate on the 'pact on immigration'. Jakob [Von Weizsäcker](#) identifies 3 priority areas for EU policy action and concrete policy suggestions which could fit with the current immigration agenda of the French presidency.

The key recommendations outlined in the Blueprint are:

1. **High-skilled migration.** For the EU to successfully participate in the global competition for talent, the Blue Card needs to become more readily transferable so that it genuinely offers access to the entire EU labour market. At the same time, concerns about brain drain should be taken seriously, by offering developing countries an opt-out clause.

[Jakob von Weizsäcker](#) shows that classic immigration countries such as Australia and Canada manage to attract more skilled immigrants than countries like France or Germany which both have restrictive immigration policies with low-skill bias. In fact, non English-speaking countries will need to offer high-skilled immigrants at least as attractive conditions of entry as English-speaking countries to compete successfully. The recent flurry of national attempts to improve

the legal basis for attracting high-skilled migrants, including the recent '*carte des compétences et talents*' in France, illustrate the progress that has been made in this debate.

While the harmonisation of legal migration should not be regarded as a European policy priority, an exception should be made for high-skilled migration in order to strengthen Europe's position in the global competition for talent.

1. **Irregular migration.** The EU agenda on irregular migration must be balanced to succeed. Tighter controls should be combined with better humanitarian standards and an agreement on continuous 'earned regularisation' as a realistic alternative to random mass regularisations.

Some 4 to 8 million irregular migrants are expected currently living in the EU27, with as many as half a million more arriving each year. According to [von Weizsäcker](#), rising immigration pressure from the EU's wider neighbourhood could result in further increase in the stock of illegal immigrants, and warns that proximity migration, similar to the massive influx of migrants from Mexico to the US, may play a much more important role for the EU in the future. It is striking, for instance, that there has been a substantial migration flow from Bulgaria and Romania into the EU15 during the past few years, although both countries were not part of the EU before 2007.

2. **Asylum.** Asylum applications in Europe have dropped considerably in recent years while wars and political persecution continue. In order for Europe to help refugees more effectively, a 'new Nansen' scheme offering 25,000 additional humanitarian immigration slots per year is proposed, the funding and allocation of which are to be organised at European level.

Media queries can be directed to Vanessa Witkowski:
Tel: 0032 (0)2 227 4290,
Email: vanessa.witkowski@bruegel.org

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