

# RESETTING EU MIGRATION STRATEGY?

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Within the context of the “Think Global - Act European” project, *Notre Europe - Jacques Delors Institute* has mobilised a group of 16 European think tanks to explore the ways to attain a more integrated strategy for the EU’s external action. Experts have confronted their analyses in occasion of a series of working seminars (economic interests, strategic resources, migrations, EU neighbourhood and CSDP), organised throughout Europe in October 2012. Policy papers and final report will be available soon.

The fifth seminar of the project “Think Global - Act European” dedicated to European external action, took place in Brussels at the European Policy Centre (EPC) on October 30<sup>th</sup> 2012. The seminar focused on the European migration strategy. The ensuing debate, open to external experts, was shaped by the contributions of the members of working group III:

- **Sergio Carrera**, Head of the Justice and Home Affairs Section, *CEPS*;
- **Leonhard Den Hertog**, Marie Curie PhD Fellow, Universities of Cologne & Edinburgh, for *CEPS*;
- **Andreas Ette**, Senior Researcher, German Federal Institute for Population Research;
- **Elvire Fabry**, Senior Research Fellow, “Think Global - Act European” Project Director, *Notre Europe - Jacques Delors Institute*;
- **Carmen Gonzales Enriquez**, Senior Analyst, Elcano Royal Institute;
- **Ruby Gropas**, Research Fellow, *ELIAMEP*;
- **Thanos Maroukis**, Research Fellow, *ELIAMEP*;
- **Hans Martens**, Chief Executive, *European Policy Centre (EPC)*;
- **Roderick Parkes**, Head of EU programme, *PISM*, for *SWP*;
- **Joanna Parkin**, Researcher, *CEPS*;
- **Yves Pascouau**, Head of Programme Migration and Diversity, *EPC*;
- **Alicia Sorroza**, Analyst, *Elcano Royal Institute*;
- **Anna Triandafyllidou**, Senior Fellow, *ELIAMEP*.

This synthesis regroups salient points identified throughout the discussions.

The EU’s external migration policy has been markedly defined by a security-oriented approach. At a

time where economic crisis and the declining trend of European demographics represent an acute threat towards the European welfare system, Europeans tend in addition to react more defensively to the perceived threats of immigration. Yet the EU needs to match the control of its borders with an adequate policy for attracting legal migrants into the European labour force in specific sectors. A reset of migration rhetoric in positive sum terms is thus imperative. In line with the Europe 2020 strategy, innovation is key to boost EU competitiveness. Yet innovation requires talent, amongst other components, and the rationale for immigration as a mean of boosting the number of innovative highly qualified individuals remains solid. The link between immigration, growth and preserving the European social model needs to be rendered explicit. A prerequisite is thus that of addressing the deficit of integration policies in member states.

Over the past years pre-admission cultural and linguistic requirements have been established in some member states. It is important for member states to consider global best practices and accordingly define a desirable model of integration (assimilation vs. multiculturalism?). Above all else in the light of domestic labour demands, member states should remember that whilst the role of a migrant is that of providing skills, it is the responsibility of the receiving country to provide adequate integration frameworks, thus calling for a relaxation of integration requirements *ex ante* and potentially a reinforcement of integration schemes *ex post*.

Given a context of a failing welfare system and growing xenophobia, how thus can the EU revise its migration rhetoric so as to extract a win-win situation? How can the EU develop effective integration

schemes whilst simultaneously promoting intra-EU mobility? Within the perspective of emerging attractive labour markets on the global scene, how can the EU acquire a strategic understanding of migration flows? How to draft Mobility Partnerships embodying a 'growth and jobs' strategy rather than mere migration management?

The EU would benefit from a long-term migration perspective reconciling development and security needs both within its borders and outside these, notably in its neighbourhood; hence reassuring national constituencies and external partners of the EU migration policy having a clearly identified roadmap for a sustainable welfare state.

## 1. How to develop an attractive policy for qualified migrants?

Although it is too early to judge the impact of the Blue Card Directive, the Commission's initiative has taken on a lowest-common-denominator formulation and is disappointing. The directive is isolated within the migration context, tailored restrictively to high-skilled migrants ignoring the fluid distinction between types of workers and overestimating the potential of the Blue Card *vis à vis* other existing measures (directives on education, research policy...). Its applicability is severely limited - granting access merely to the receiving country and not immediately the whole EU labour market (after 18 months), thus falling short of its main competitor for highly skilled migrants, such as the US. Indeed member states do not have a sense of the benefits of collectively attracting migrants, preferring to compete rather than cooperate. Yet, competition across member states is leading to innovative solutions, creating a number of potential best practices. Exploiting this competition via the creation of focus groups for likely interested member states is proposed. The situation exacerbates if we consider the need to attract not only highly qualified migrants, but those *best* qualified. The need to invest on universities of excellence is underlined, and the issue of language barriers debated. Providing incentives for qualified migrants to stay requires reinforcing the links between the student status and access to the working market. Despite an attractive policy *vis à vis* student migration via the student directive, access to the labour market is left in the hands of discrepant member state national policies. Redrafting the Students and Researcher Directives in the light of

the need for highly skilled migrants could also complement the Blue Card and increase the inclusiveness of EU migration policy.

A more effective Blue Card would nonetheless require a genuine unified EU labour market allowing the EU to be an attractive area as a whole: intra EU mobility for migrants and flexibility in allocation of workers. Removing administrative obstacles, portability of pension rights and social entitlements, information sharing and facilitating the recognition of qualifications all require action.

## 2. Free movement vs. irregular migration

The 2011 renewed Global Approach to Migration and Mobility (GAMM) attempts to frame a migrant-centred approach maximising the development impact of migration and mobility while responding to the European labour needs and preventing irregular migration. Yet there exists a strong imbalance between the implementation of these contrasting objectives. Due to the economic crisis, coupled with labour migration being a member state competence, legal migration channels have become increasingly restrictive.

Whilst relaunching the GAMM within the framework of the Lisbon treaty could provide a positive setting for a strengthened global approach, Mobility Partnerships (MPs) have to date done little to change the status quo. The creation of a platform for dialogue and paradigm change is commendable, yet MPs, lacking legally binding status, are more a political instrument than an efficient tool for policy implementation. The use of international agreements instead of non binding partnerships is suggested. Furthermore the MP offer is restrictive, temporary and highly conditional - the latter trait serving to undermine substantially the claimed comprehensiveness of the partnerships.

MPs must increase their appeal. Extending sponsor schemes to medium and low skilled migrants is desirable, complementing the Blue Card. The inclusion of a visa liberalisation dimension is also suggested, allowing for a roadmap to mobility with concrete steps and avoiding an ineffective narrow conditionality approach. More comprehensiveness is advocated, introducing the promotion of human rights and economic and social reform within current agreements granting visa liberalisation primarily on the basis of readmission conditionality. The MPs could thus

potentially be embedded within the complementary framework of the European Neighbourhood Policy.

Indeed, failing to address the economic and social reforms within countries of origin and transit countries neglects a substantial aspect of migration flows. Turkey offers a case in point where the economy of the country is defined by a substantial informal economy, part of which includes migrant smuggling, thus addressing irregular migration formally whilst ignoring the impact of informal structures will hardly yield efficient results.

### 3. Coherence in the EU external action: reconciling development and security in migration policies

Despite contrasting rhetoric, in practice, all aspects of migration are approached from a security-driven, euro-centric mind frame. Recognising the need for the EU to move away from a 'migration management' approach towards a more strategic phase for the Global Approach, following the Arab Spring, the EU declared its intention to set up 'mutually beneficial' mobility partnerships. Yet the weaknesses of the MPs seem to reveal principally a 'security-first' approach. The external dimension of EU migration policy suffers from severe inconsistencies (readmissions case with Belarus, Tunisian border case), raising questions of credibility for the EU role abroad. If there is an interest to seek synergies and pursue a truly GAMM within the broader objectives of the EU's foreign policy and development cooperation policy, the EU then must succeed in striking a balance along the security and development axis.

Circular migration schemes constitute the main way that the EU envisages the promotion of legal migration channels for non-EU workers within its Mobility Partnerships. It refers to measures aimed at reducing brain drain and promoting triple gains for the migrant, the host country and the country of origin. Yet it lacks a clear definition. It has rarely been of use to migrants other than agriculture workers. In addition the lack of flexibility in the regulation flows has inherently subjected certain channels to being closed down. Economic incentives alone do not sufficiently promote circular scheme. Commending the shift from the notion of circularity to mobility, efforts towards the formulation of more comprehensive

MPs and the inclusion of more flexible and rights-based labour schemes, should be instead prioritised. Engaging more dynamically in a constructive dialogue on avoiding brain drain in countries of origin, remains crucial for the attractiveness of mobility policies. Fora such as the Global Forum for Migration and Development (GFMD) can be useful in identifying innovative actors and best practices.

### 4. Institutional coherence and the quest for a reinforced EEAS

A partial explanation for the excessively security-oriented approach is the continued predominance of a 'home affairs approach' and the marginalisation of the European External Action Service (EEAS), thwarting the streamlining of an EU voice abroad. Negotiations with third countries are also defined by a great degree of fragmentation as DG Home, the EEAS and Frontex exercise parallel streams of diplomacy, leading to severe inconsistencies (e.g. Lampedusa syndrome - narrow sectorial thinking which neglects the need for a broader EU strategy in the neighbourhood beyond security issues). In addition bilateral member state agreements tend to trump EU policies. There exists thus a problem of competence and inter-institutional competition resulting from legal ambiguity and member state reluctance to give up control over strategic portfolios.

The home vs. foreign affairs dichotomy is dictated by difference in mentalities, rationales and approaches. Recognising that the EU cannot deliver a migration policy without the inclusion of home affairs (and given different sets of expertise the latter might not be desirable), nevertheless, the need for a rebalancing and a clear reallocation of responsibilities persists. Notably, the EEAS could contribute to creating a more positive image of the EU in countries of origin. To do so though the EEAS needs to acquire the necessary and lacking technical expertise to be able to gather data and contribute convincingly and constructively to framing policy. Doing so would create more checks and balances to home affairs officials, and provide the setting for the EEAS to become the prime interlocutor for migration issues with external partners. The EEAS will nevertheless need to increase its degree of ambition and the level of personal initiative of its diplomats, who could leverage their role as country experts and feed notions acquired on the field into institutional procedures.



The project “**Think Global - Act European**” (TGAE) organised by *Notre Europe - Jacques Delors Institute* is focused on the EU’s external action.

A more integrated global strategy would allow the EU to better respond to the substantial changes that are affecting the international arena. More coherence and coordination between internal policies and external policies as well as mitigation of institutional discrepancies through reinforced dialogue between EU institutions on those new challenges are thus scrutinised by the [16 European think tanks](#) involved in this project:

*Carnegie Europe (Brussels), CCEIA (Nicosia), CER (London), CEPS (Brussels), demosEUROPA (Warsaw), ECFR (London, Madrid, Berlin, Paris, Sofia), EGMONT (Brussels), EPC (Brussels), Real Instituto Elcano (Madrid), Eliamep (Athens), Europeum (Prague), FRIDE (Madrid, Brussels), IAI (Rome), Notre Europe - Jacques Delors Institute (Paris), SIEPS (Stockholm), SWP (Berlin).*

They confront their analyses on key strategic issues: economic interests, sustainable development, migration, the EU neighbourhood and security.

After a series of policy papers, the [final report](#) will be published in March 2013 under the direction of Elvire Fabry, Senior Research Fellow at *Notre Europe - Jacques Delors Institute*.

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