

BREAKING GRIDLOCKS



Report No. 2019/07/00005, 11/12/2019

ICMPD

International Centre for
Migration Policy Development



Recommendations
for the next
five years of
EU migration policy

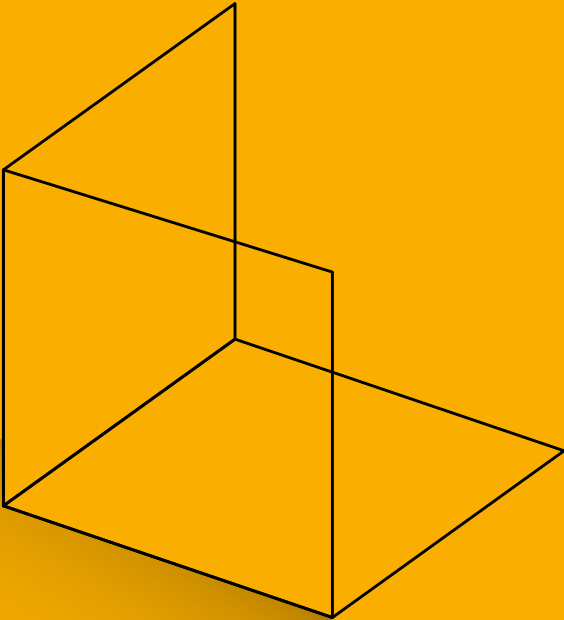
**AND
MOVING
FORWARD**

BREAKING GRIDLOCKS

November 2019

**Recommendations
for the next
five years of
EU migration policy**

**AND
MOVING
FORWARD**



Acknowledgements

The present publication has been driven by ICMPD's Policy Unit in cooperation with ICMPD's mission in Brussels, and the numerous valuable contributions of senior colleagues from across the institution.

The drafting team expresses its gratitude to its many colleagues in ICMPD Member States and the Advisory Board, as well as its close partners, for regularly engaging despite often demanding agendas, openly sharing their thoughts, ideas and insightful advice.

Foreword

2019 is a crucial year for reinforcing Europe's migration policy for the next years. The new leadership and composition of the EU institutions presents an opportunity to unlock the process of solidifying the migration architecture, overcoming the current gridlock. At the same time, Europe will face new migration challenges through changing migration routes and dynamics, as well as surging migration flows. The ability of individual states to respond to the multidimensional nature of migration is limited. Migration requires joint and collaborative responses. It requires cooperation among European countries, partner countries along migration routes, and in the EU's close neighbourhood.

Cooperation will also help rebuild trust between EU Member States and partner countries alike. It will help to leave behind the political controversy aggravated by the 2015 migration crisis and sustained by the tug-of-war over the direction of the European migration system. Practical cooperation and consequent implementation of policy priorities will produce tangible and visible results which, in turn, will help restore voter confidence in European leaders' ability to effectively regulate migration. Pressing the political reset button on previous controversies and piloting new, practical and concrete ideas, involving all or groups of Member States, will help bring us closer together again and break the current political gridlock in Europe.

Cooperation alone, however, will not be sufficient to create a future-oriented and crisis-resilient European system that is fit for purpose. In order to fulfil this goal, the EU Member States would be well advised to reconfirm a shared vision, approach and system, whilst developing a clear idea of what exactly European migration policy aims to achieve. To this end, we need to once again reengage with the work for a reformed migration agenda supported by all partners.

The present set of "70 Recommendations for the Next Five Years of EU Migration Policy" aims to serve as inspiration for recreating common ground by a strategy that encompasses i) Innovating practical cooperation; ii) Delivering on measures already agreed; and iii) Working on a common vision.



We need to continue laying our foundations, making sure that we operate from the same understanding of the principles that govern this far-reaching cooperation project. In short, we need a pragmatic yet ambitious approach to break the gridlock and re-energise EU progress towards joint answers on migration—without lacking vision, a sense of mission, nor ambition.

We have formulated the Recommendations in close collaboration with ICMPD's Member States—EU Member States, accession countries and Switzerland—to stimulate the process at various levels, so as to work together for a functioning migration policy and continue the European project success story.

But our process will not stop there; we stand ready to support the creation of a future-oriented migration system in Europe by pursuing these recommendations, expanding them as needed, and identifying new areas of cooperation with our Member States and close partners, to prove that, together, Europe can deliver on its priority objectives.

A handwritten signature in blue ink that reads "Michael Spindelegger". The signature is written in a cursive, flowing style.

Michael Spindelegger
ICMPD Director General

Executive Summary

In 2019, the EU's migration policy finds itself in a gridlocked situation, illustrated by a diverging understanding and practical application of European responsibility-sharing and solidarity, as well as different agendas and objectives in other migration policy areas. In addition, EU Member States have moved towards cooperative solutions on pressing issues where they have achieved tangible results, and have engaged in political debates about the big underlying questions of the European migration system. In order to break political and policy gridlocks between Member States and move forward as one, an approach is needed that builds upon functioning elements of the current system and gradually expands on it. To that end, ICMPD proposes to focus on innovative cooperation on and implementation and delivery of what has already been agreed upon, while simultaneously engaging in a much needed political process of (re)confirming the overarching goals of the EU's common system which dates back to the Treaty on the Functioning of the European Union and the 1999 Tampere Programme. To change the realities of migration, a comprehensive approach is needed that addresses the interlinkages between migration policies and other EU policy areas, as well as the interconnectedness between the internal and external dimensions of EU policy. To unlock the gridlock, ICMPD suggests that progress in eight areas is particularly needed:

- 1. Renew a common vision for the future of international protection in Europe and beyond** by engaging in a political debate on the Common European Asylum System, detaching the crisis mechanism from further development of the system and reconfirming the EU's role in pursuing global solutions to a global issue. Build on and incentivise practical cooperation in the area of relocation and disembarkation while identifying effective ways to prevent secondary movements.
- 2. Secure borders and safeguard Schengen** by strengthening external border management, improving bottom-up harmonisation of practices and ensuring preparedness jointly with partner and neighbouring countries based on a whole-of-migration-routes approach whilst upholding free movement within Schengen.

- 3. Make return policies and practices more effective** by working towards resilient relationships with all relevant countries of origin and improving post-arrival arrangements and reintegration assistance through a coordinated approach with clusters of EU Member States. Discuss and work on new measures allowing for a comprehensive assessment of return, contributing to a shift in perspectives on the effectiveness of the EU return policy.
- 4. Create better functioning and proactive labour migration policies** by facilitating Member State-led skills-matching frameworks and programmes for more effective labour migration pathways, implemented in close cooperation between sending and receiving countries, for the dual purpose of reducing irregular migration and responding to current and future labour market needs. More actively involve the private sector in determining labour shortages as well as in the design and implementation of practical measures to ensure that sector needs are fully reflected.
- 5. Put integration back on the European agenda** by supporting Member States in implementing integration measures, with an early start in the areas of language, labour market, education, European values and orientation. Prioritise pragmatic and innovative approaches for the recognition of skills and qualifications, focus on funding cities and small-scale actors, and drive forward the EU-wide use of integration indicators to monitor and evaluate integration outcomes.
- 6. Integrate the Western Balkan countries into Europe's regional migration system**, serving the dual purpose of rapprochement and strengthening of the European migration system as a whole, by including them in cooperation frameworks, initiatives and networks—also vis-à-vis partner countries outside the region. Propose schemes for regular mobility while addressing potential challenges related to emigration and support engagement with the Western Balkan diaspora in a structured manner by innovative EU-funded programmes.

7. Broaden cooperation agendas with partner countries,

as Europe will only be able to jointly address the challenging aspects of migration when investing in a comprehensive, sustainable and long-term approach beyond crisis-related needs, building on areas of common interests that go beyond migration and accounting for the priorities of all partner countries involved. Enhance the potential of existing instruments that aim to deepen cooperation through better coordination mechanisms.

8. Apply a whole-of-migration-routes approach that builds on the converging interests of countries along the routes by devising coherent cooperation frameworks and partnerships. These should include permanent coordination mechanisms, complemented by more responsive and streamlined funding structures, to more effectively respond to the protection challenges of those in need, address human smuggling and trafficking in persons, and tackle the root causes of displacement and irregular migration.

To lift EU cooperation on migration to the next level, the EU needs to progress in these eight areas and develop an approach that hits the political reset button on previous controversies, creates a clean sheet and builds on shared priorities. In addition, elevating coordination of the entire migration portfolio to the level of the Vice President is a sensible way forward to implement an integrated and coherent approach that addresses migration in all its dimensions. That is, without a dividing line between the internal and external dimensions, and strongly taking into account regional realities and migration agendas. And lastly, the EU and its Member States need to communicate effectively about the reasons for political decisions taken, their complexities and their intended impact on the European population. To move forward, gridlocks need to be broken to change the realities of migration and a convincing narrative needs to be conveyed on the EU's new agenda on migration.

Introduction

The 2019 European election came at a critical time in the development of the EU's migration policy. Disagreement on issues related to protection, internal free movement, the urgency to tackle skills shortages, and the need to address public attitudes towards migration and protection, have impacted on Member States' relations and pointed to broader questions related to the European project and its identity. Some Member States see the way forward in "more Europe" and joint responses. Others pursue more national or plurilateral policy responses, involving only selected EU Member States. The elections have automatically paused some of these contentious deliberations, and the change of political leadership now offers a chance to reset the course forward for the coming five years.

The grand questions about Europe's future and the general directions of the European project were at the heart of voters' decisions in May 2019. But it is a divided electorate. As much as leaders have struggled to agree, voters are polarised on how the EU should balance priorities related to security, freedom and protection, and the degree to which common EU-wide policies should be pursued versus maintaining sovereign control. Finding common ground for such a politically salient and contested issue as is migration will be challenging for the newly elected European Parliament, the new European Commission and Council alike. Still, it will be equally important to break political and policy gridlocks between Member States and move forward as one. A new approach is therefore needed to overcome the paralysing effect of polarisation in the Union and drive forward new policies, while building on and consolidating progress already made.

- › **This is a year that presents a paramount opportunity to [Rec 1] hit the political reset button on previous controversies and rally around shared priorities to clean the slate and pick up new speed towards building a stronger European migration system.**

Making use of its wide-ranging expertise, this set of constructive, forward-looking and pragmatic recommendations for the next five years of migration policy developments in and for Europe is ICMPD's expert contribution to this strategic reflection process. It is an attempt not to reinvent the wheel—many of these recommendations reconfirm well-known priorities—but rather to point to a series of concrete suggestions that will help the new EU leadership to move forward over the course of the next five years.

These recommendations are aimed at stimulating a process at various levels to resolve the gridlock in migration policymaking in Europe. They are based on the organisation's own expertise in research, policy analysis and migration dialogues inside and outside of Europe, and a consultation process with its Member States,² stakeholders from EU institutions and senior experts from leading research institutes and think tanks.³ While fully acknowledging many other initiatives to provide input to a new European migration agenda, the added value of ICMPD's contribution lies in its unique Member States⁴ composition, consisting of EU Member States, accession countries and Switzerland, as well as its comprehensive scope of work.

The issues at stake

The magnitude of challenges related to the large scale influx in 2015/2016 and the resulting political pressure and urgency initiated an intense process towards the development of European and global agendas to deal with the crisis situation, while at the same time addressing the root causes of displacement and irregular migration. Tangible progress has been achieved to date, especially in the “external dimension” of EU migration policy. The reform of the “internal dimension” of the European system has been less successful, as illustrated by the gridlock in the reform of the asylum system and the diverging understanding and practical application of European solidarity and responsibility-sharing. In both dimensions, however, persists the need for transformational change and consolidation of started processes in order to create a functioning asylum and migration system.

Although numbers of asylum applications in the EU have decreased considerably in the past two years, factors in the European neighbourhood and beyond remain that have the potential to trigger major refugee movements and that would also affect Europe. Turkey still hosts the largest refugee population worldwide and is undertaking significant efforts to create long-term solutions. Despite a steady fall in numbers, countries along the Western Balkans route are faced with mixed flows and migrants “in situations of limbo”. The security situation in Libya continues to be highly volatile, hampering the development of durable solutions and causing an intolerable situation for the large refugee and migrant population caught in the country. A lack of legal pathways for migrants combined with limited opportunities and instability in the countries of origin and first destination may result in greater irregular migration. Refugee populations mostly remain in regions close to their home country, but will gradually start to move on to more distant countries in search of safety and opportunities to rebuild their lives if viable solutions such as return, resettlement or local integration in the (neighbouring) host country are not available. While there are a number of uncertainties in predicting the size and direction of future migration flows, demographic aging in Europe

and the youth bulge in Africa are certain. Whether and how this demographic imbalance will influence migratory movements towards the EU depends on various factors. Economic growth in African countries, their absorption capacity of the young labour force, the state of governance, stability and rule of law will determine whether migration continues to grow in numbers, and whether emigrants continue to predominantly remain within the continent or migrate to Europe in more significant numbers. The effects of climate and environmental change will also have an impact on migration. The scale of environmental migration will significantly vary between regions, and no significant impact on Europe is expected in the next five years. Yet, future trends are difficult to predict.

Demographic aging and its effects on the economic and social systems are becoming a growing concern for many European countries. Labour market shortages, although very uneven among Member States, together with digitalisation and automation, will further affect the size and shape of the workforce. Increasing demand for high-skilled, but also low-skilled occupations together with a profound transformation of middle-skilled jobs will lead to even higher demands for immigrant workers with the right skills and qualifications. At the same time, the potential of many skilled migrants in the EU remains strongly under-used, which is linked to challenges related to recognition of qualifications as well as discrimination in the recruitment processes. Therefore, apart from more pro-active labour migration policies, significant improvements in integration policies will be necessary, especially in the areas of education and labour market, in order to better utilise the potential that migrants bring, while at the same time contributing to economic growth and social cohesion.

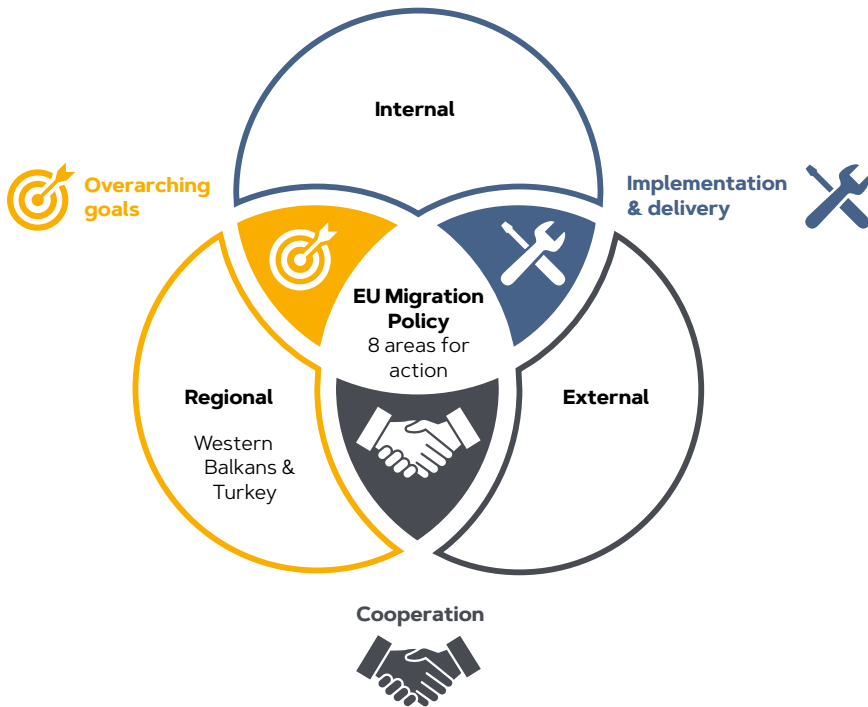
Breaking gridlocks: Recommendations for action

In the past five years, longer-term and more strategic decisions on the nature and scope of a future European migration system have faltered partially due to the crisis management paradigm which has been pursued, and partially due to the lack of consensus on overall policy objectives. At the EU level, it seems that much needed discussions between Member States on overarching common goals for a reform of the current system have been drowned out by continuous deliberations and negotiations on legislative measures. While it is undeniably important to continue these deliberations and negotiations, this approach alone has not borne fruit in the current political climate and has not managed to overcome today's gridlocked situation. Rather, it has become a symbol of the gridlock itself. Making the European migration system more capable of dealing with migration-related challenges and better at utilising migration-related opportunities will require breaking gridlocks, as well as moving forward in a number of areas of the European migration agenda.

Three levels of action

In order to break the gridlock and lift European cooperation on migration to a more sustainable level, the EU and its Member States should make progress on three main levels simultaneously: They should reconfirm common overarching goals, prioritise pragmatic implementation and delivery on already existing instruments, and capitalise on innovative ways of operational and technical cooperation among EU Member States, for Europe as a whole, and with partner countries along migration routes. ICMPD believes that an evolutionary and pragmatic approach with concrete measures will help the EU and its Member States to regain momentum and prove that they can effectively deliver on one of the most controversial domains of our time.

A renewed discussion on overarching goals must supersede the political rifts that emerged during the crisis. The lack of consensus and diverging interpretations of common goals that guide and support policy reforms will continue to be an obstacle to formulating effective and sustainable policies. A reconfirmation of a joint vision and stronger focus on the commonalities of the general political direction of the EU’s migration policy is necessary. Particularly with regard to the Common European Asylum System, these efforts will place the system on a broader footing with all Member States, bearing in mind that its initial vision was developed under the 1999 Tampere Programme by merely half of today’s Membership base. Going back to the initial purpose of cooperation and solidarity on migration matters as enshrined in the Treaty on the Functioning of the European Union—the creation of an area without controls on persons—may help re-create common ground for Member States’ relations.



Prioritising implementation and delivery on existing instruments where common ground has already been found will also produce those tangible and visible results that are needed to help rebuild confidence in developing an improved European migration architecture. More emphasis on innovative technical and operational cooperation between states and the involvement of the full range of stakeholders—including, importantly, through the expansion of public-private partnerships—will complement the formulation of new policies and legislative acts by piloting and testing practical measures and projects. Practical steps forward will ultimately enable the Union and its Member States—and indeed Europe as a whole—to more effectively deliver on these objectives.

For all three levels, careful consideration should be given as to whether issues require a regional approach or whether multi-speed development of migration policy and practice could form part of the solution in one area or another. A precondition for a more common European migration system will unquestionably be to find a way to better integrate diverging positions in a joint approach. Finally, more attention should be paid to interlinkages between migration policies and other EU policy areas like trade, development, security, environment and energy, as well as to the interconnectedness between the internal and external dimensions of EU policy, to ensure coherence and avoid contradictory policy goals and outcomes. Even more than before, the EU should emphasise an approach that duly takes into account migration as a regional phenomenon.

- › **To effectively implement an integrated and coherent approach, [Rec 2] elevating coordination of the multi-dimensional migration portfolio to the level of the Vice President is a sensible way forward.**

Eight areas for action

1 **Renewing a common vision for the future of international protection in Europe and beyond**

→ page 18

2 **Securing borders and safeguarding Schengen**

→ page 21

3 **Making return policies and practices more effective**

→ page 24

4 **Creating better functioning and proactive labour migration policies**

→ page 26

5 **Putting integration back on the European agenda**

→ page 30

6 **Integrating enlargement countries into Europe's regional migration system**

→ page 32

7 **Broadening cooperation agendas with partner countries**

→ page 35

8 **Applying a whole-of-migration-routes approach**

→ page 38

1

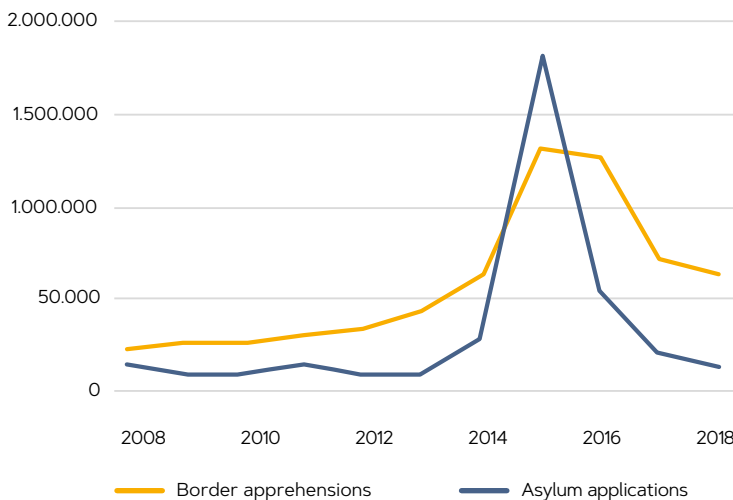
Renewing a common vision for the future of international protection in Europe and beyond

EU Member States have been working on the harmonisation of asylum systems for 20 years to achieve the ambitious project of developing a Common European Asylum System (CEAS). Much has been accomplished, including the adoption of common standards among EU Members which govern all aspects of the admission, procedure, qualification and reception of applicants for international protection in the EU. The CEAS and the related

jurisprudence of the European Court of Justice of the EU have become the yardsticks for qualitative asylum procedures for members of the EU and for countries accessing the EU, and lead by example in a global context.

Despite all these achievements, the latest reform of the CEAS has run into major gridlocks over the past few years. Not least because Member States seem to

EU border apprehensions and asylum applications 2008–2018



Source: Eurostat, European Border and Coast Guard Agency (Frontex), 2019

be navigating at cross-purposes, without a common direction and without fully owning the original joint vision developed by a Union of only 15 Member States in Tampere 20 years ago. Persisting challenges include the question of responsibility sharing between Member States as mandated by the CEAS, the distribution of applicants, varying outcomes of the Member States' asylum systems, and the crucial question of how to address multiple applications and "secondary movements" of applicants for international protection between Member States. Sustainable arrangements to distribute responsibilities between EU Member States have given way to temporary arrangements, entailing great political and administrative efforts, and human costs. The current protection system incentivises both irregular movements from abroad and secondary movements within, but at the same time does not adequately respond to those in need of protection and their vulnerabilities, particularly along migration routes. The Dublin Regulation as one cornerstone of the CEAS has proven insufficient in responding to large inflows. Controversies surrounding how to practically organise solidarity and cooperation on international protection have brought a larger reform agenda to a halt. Ad hoc solidarity measures, which have emerged in the absence of a predictable framework for cooperation, and Search

and Rescue operations have become the dominating arenas for political negotiations on responsibility sharing. In the external dimension, major refugee host and transit countries and regions struggle to create long-term solutions and meet the needs of refugees. Gradual improvements of the common protection system, combined with enhanced cooperation in the external dimension, are more likely to break the current gridlock and achieve more robust results than concepts that presently appear overambitious.



- › **[REC 3] Engage in a political debate to define a renewed basis and common vision determining where the Common European Asylum System (CEAS) should head**, including setting the goals of what should be achieved with “harmonisation” and how responsibilities should be shared.
- › **[REC 4] Detach questions of admission, responsibility sharing and mass influx from procedural and qualification standards.** While the latter appear largely uncontroversial, the former require a renewed common and shared political vision.
- › **[REC 5] Separate the CEAS from questions of mass influx**, as no system, no matter how stress-resilient, would have been able to cope with a 2015-like situation. A specialised instrument—negotiated alongside the CEAS—should be devised to deal with such an exceptional situation.
- › **[REC 6] Include the appeals instance in all aspects of harmonisation for the purpose of a more consistent and better functioning CEAS.**
- › **[REC 7] In the external dimension, foster global solidarity with the aim of ensuring effective protection for more people in need of international protection.**
- › **[REC 8] Support protection in the region by applying concepts such as the safe third country principle** accompanied by increased support for the countries concerned, the host communities and third country solutions for those refugees for whom local solutions cannot be found.



- › **[REC 9] Incentivise Member States to continue to implement voluntary relocations** of applicants for international protection in the EU
- › **[REC 10] Increase support to host countries to create solutions for refugees** such as local integration and other solutions, scale up resettlement of refugees and secure pathways to protection to Europe and beyond.



- › **[REC 11] Improve the understanding of the drivers of “secondary movements”** in order to develop new ways to prevent the phenomenon.
- › **[REC 12] Promote practical and technical collaboration between Member States**, besides legislative reforms, through piloting closer voluntary cooperation between Member States on jointly processing arrivals and asylum claims, furthering the return and reintegration of rejected asylum seekers and ensuring the integration of recognised refugees.
- › **[REC 13] Use voluntary cooperation platforms, involving a few like-minded Member States, to create frameworks for disembarkation** in order not to compromise on the imperative of saving lives at sea and avoid the practice of negotiating costly boat-by-boat responses.
- › **[REC 14] Support individual or groups of Member States in making use of refugees’ skills** for a more purposeful matching of refugees with their labour market needs, and facilitate integration by broadening skills-based complementary pathways to protection from first countries of asylum.

2

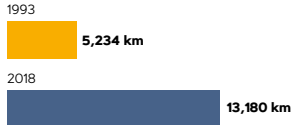
Securing borders and safeguarding Schengen

Although Schengen is broadly viewed as an integral part of the European system and one of the main achievements of the EU, a number of Schengen countries have introduced internal border controls because of security considerations, citing as a main reason secondary movements of asylum seekers from states at the EU and Schengen external borders into north-western Europe. A Union with internal border controls entails not only high costs for mobility and trade but also has a detrimental effect on the European public's acceptance of the European project as a whole, particularly if external borders are perceived as porous. The goal of security and control will only be achieved if EU Member States find common answers to supporting those located at the external borders, as well as their partners

along the main migration routes such as the Eastern Mediterranean, and here especially Turkey. A single area without internal border checks requires an effective common policy on EU external borders which needs to meet two equally important objectives: it must ensure the security and integrity of state and Union territory and it must facilitate legitimate cross-border flows of goods and people. Resolving gridlocks and bringing Schengen back to normal requires supporting Member States to communicate a convincing and fact-based narrative to their public which centers around the fact that proper security checks and inland control are already ensured through improved and far-reaching seamless searches, checks and surveillance measures that do not impact on travellers inside the Schengen area.

EU external borders 1993–2018

Length of EU's external land borders

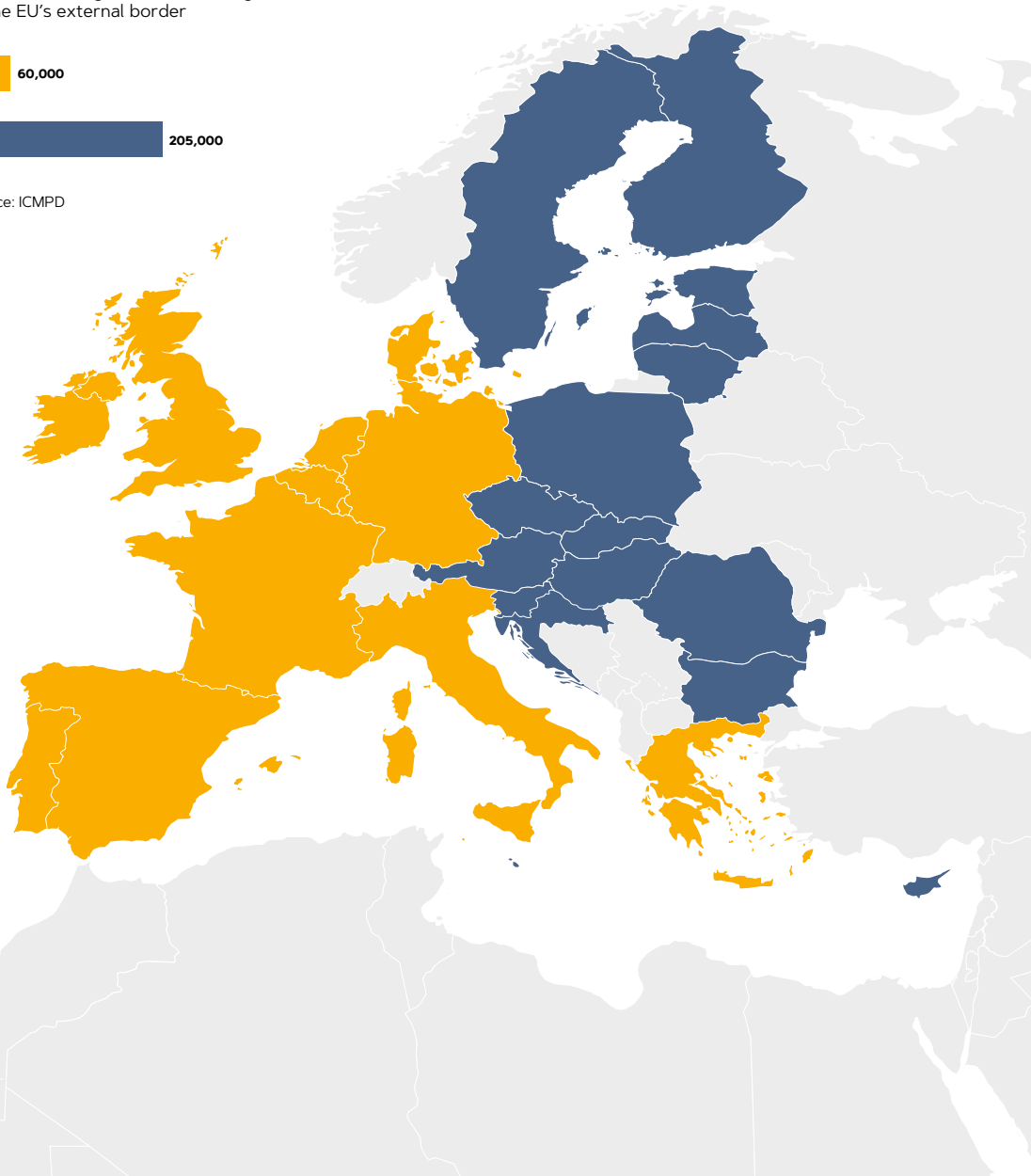


Current length of the EU coastline: 65,993 km

Detection of illegal border crossings at the EU's external border



Source: ICMPD





- › **[REC 15] Strengthen external border security, existing seamless inland control measures** inside the Schengen Area and contribute to a greater exchange of information, better procedural safeguards and overall harmonisation through cooperation among the Member States in order to address some of the current security concerns whilst maintaining free movement within Schengen.
- › **[REC 16] Use components of the agreed Technical and Operational Strategy for European Integrated Border Management to develop a comprehensive border governance system in the external dimension** to ensure a common language and effective cooperation between countries along the migration routes.



- › **[REC 17] Enhance real-time information exchange and early warning systems along migration routes and hubs**, making use of cost-efficient technologies and optimising the use of the network of deployed immigration liaison officers to enhance preparedness.
- › **[REC 18] Support Member States and the European Border and Coast Guard Agency (Frontex) in their efforts to realise the common commitment to increase the standing corps of border guards** to 10,000 by 2027 or earlier through innovative ways of training that address existing capacity gaps in the national training systems.

- › **[REC 19] Initiate an evaluation of the new Entry/Exit System**, which requires that migrants are informed about the fact that their personal data are being processed, and about their potential impact on fundamental rights. With increasing interoperability, safeguarding the right to personal information protection will become even more challenging.
- › **[REC 20] Improve bottom-up harmonisation of practices and preparedness** through more frequent joint international exercises of border guards, preparing for different situations and scenarios.



- › **[REC 21] Pilot additional bilateral and trilateral cooperation centres at the external borders** involving EU and non-EU countries and based on existing experiences in order to enable the exchange of information and joint operations among law enforcement and customs authorities from different countries.

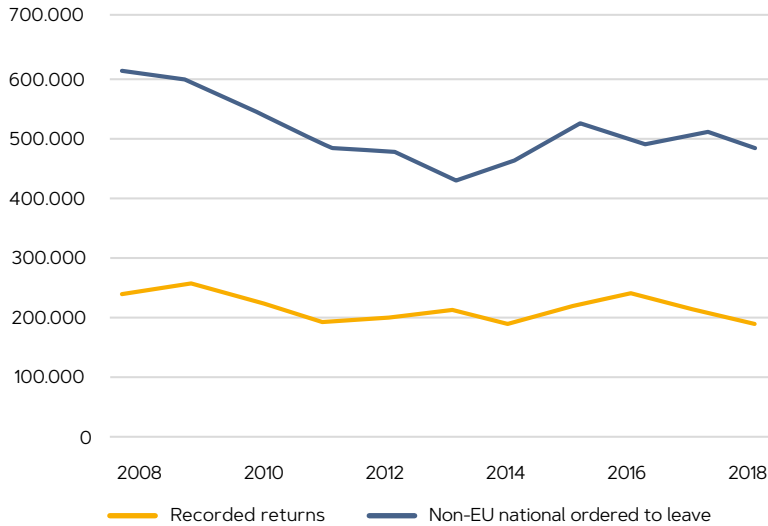
3

Making return policies and practices more effective

Return is a crucial element of a rules-based-approach to migration management. It remains a particularly challenging area for policymakers in Member States, their counterparts in neighbouring countries and in countries of origin. There are important internal and external factors that influence the effectiveness of return policies. Internal factors are related to identification issues, technical and financial capacities, lack of cooperation at a national and European level, absconding of potential returnees,

legal constraints, and the fact that assisted voluntary return and reintegration programmes are not as effective as desired. With regard to external factors, the full potential of cooperation with countries of origin has not yet been utilised but could be unlocked by further addressing the concerns and priorities of countries of origin. A pragmatic approach to consistently and diligently improve the current system is therefore necessary to achieve sustainable results in this area.

Returns and leave orders 2008–2018



Source: Eurostat, 2019



- › **[REC 22] Engage in frank discussions at European and national levels to define what constitutes success in return** other than a mere head count, in order to contribute to a shift in perspectives on the effectiveness of the EU return policy. Work towards robust and enabling relationships with relevant countries of origin.



- › **[REC 23] Introduce return management systems** at EU and national levels to provide timely information on the identity and legal situation of potential returnees, enhanced exchange of information and better data collection.
- › **[REC 24] Strengthen relations with consulates from countries of origin** and generate a common understanding on the type of information and cooperation needed by providing detailed information on how Member States organise returns in order to enhance cooperation on the return process.
- › **[REC 25] Embed cooperation on return into a broader set of mutually beneficial relations**, going beyond return and readmission, looking at Swiss Migration Partnerships as a good example, and involving the private sector as a key catalyst for economic cooperation and the enhancement of economic opportunities for individual returnees. Bring visa facilitation into the equation strategically, while balancing conditionality with broader elements for cooperation that go beyond migration.
- › **[REC 26] Improve post-arrival support and reintegration assistance**, both for voluntary return and forced removals,

by strengthening national reintegration capacities of returnees' countries of origin, for example through creating state-led return referral mechanisms and one-stop-shops to deliver services to returnees.



- › **[REC 27] Strive towards a coordinated approach with individual countries of return**, which will increase the effectiveness of return mechanisms and, at the same time, decrease the burden on countries of return and Member States without established relations. To that end, invest in and prioritise funding for joint assisted voluntary return programmes and reintegration facilities, for example via the European Return and Reintegration Network (ERRIN), in close cooperation with authorities in the given country of return, and share information about countries of return with other Member States.
- › **[REC 28] Strengthen cooperation with and support for transit countries along migration routes, particularly the Western Balkans, in effecting returns** and building their national migration management systems.
- › **[REC 29] Pilot new ways of putting policy into practice.** Use the Forced-Return Monitoring (FRoM) initiative as an example, that currently includes 14 Member States and Switzerland, to further work towards the harmonisation of forced-return monitoring systems in line with the EU Return Directive.

4

Creating better functioning and proactive labour migration policies

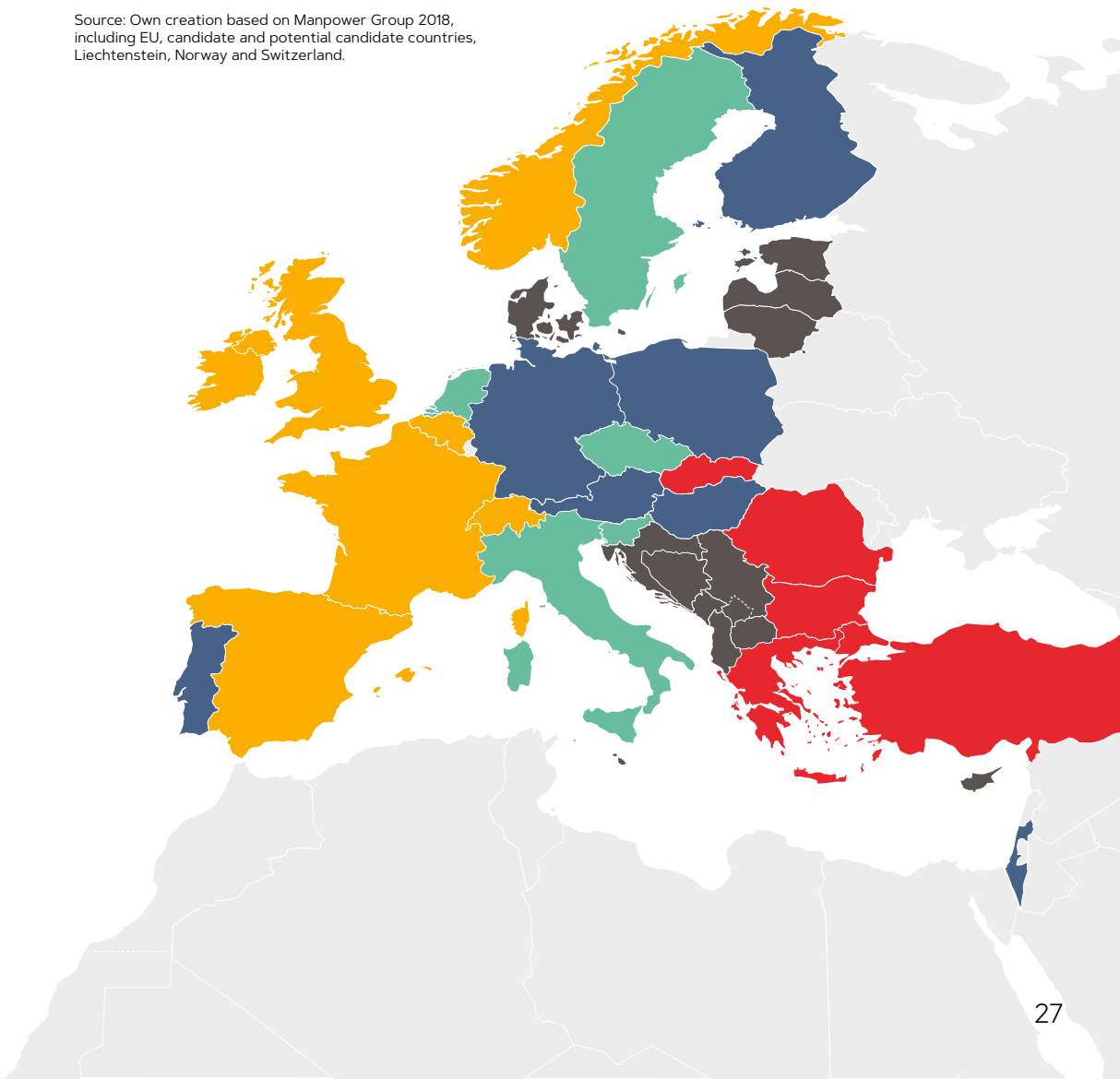
The process of population ageing is expected to accelerate in Europe, putting pressure on European labour markets. Growing labour market shortages, although very uneven among Member States, together with technological transformations that affect the size and shape of the workforce as well as labour market needs, will lead to higher demands for migrant workers with the right skills and qualifications. Despite progress made towards a joint framework for legal migration and developments at the national level, Member States have been less successful than other OECD countries in attracting skilled migrants. The recent evaluation of EU legislation on legal migration has revealed a number of gaps in the fragmented system. Progress is hampered by the complexity of existing rules at both the EU and the national

levels and diverging national approaches. In practice, international job matching largely remains costly and ineffective and is furthermore hampered by a lack of resources and know-how concerning the employment of migrant workers, especially in the case of small and medium sized enterprises. In addition, Europe has highly specialised and formalised labour markets, requirements which are difficult to meet for many migrants. Future immigrants will have to be better qualified than previous cohorts as a result of the expected transformation and specialisation of European labour markets. Therefore, significant investments will have to be made in bringing together educational and vocational training standards and making third country migrants formally and practically fit for European labour markets.

Skills shortages: European countries facing difficulty hiring

- Most difficulty
- Above average difficulty
- Below average difficulty
- Least difficulty
- No data available

Source: Own creation based on Manpower Group 2018, including EU, candidate and potential candidate countries, Liechtenstein, Norway and Switzerland.





- › **[REC 30] Create effective pathways for labour migration addressing various skills levels, implemented in close cooperation between sending and receiving countries** as a way to respond to migration control objectives and reduce irregular migration, and to effectively address skills shortages in European labour markets.



- › **[REC 31] Support Member States in improving the practical application and effectiveness of the existing regulations (directives)** through non-binding instruments and informal exchanges of good practices, for example through the creation of permanent or ad hoc dialogue platforms, including various stakeholders such as employers, labour unions, professional associations and academia.
- › **[REC 32] More effectively facilitate intra-EU mobility and job-matching** to better utilise the existing labour force by addressing problems of unequal treatment, working below qualifications and differences between Vocational Education and Training (VET) systems across EU countries. The establishment of the European Labour Authority (ELA) is a good step towards better enforcement of existing EU rules on labour mobility.



- › **[REC 33] Promote pragmatic and innovative measures in the area of recognition of qualifications and diplomas, validation of skills and work experience** among Member States—such as pre-screening in the country of origin, mutual recognition agreements and simplified procedures for positions in demand—in order to fully utilise the potential of actual and future migrants.
- › **[REC 34] Pilot and promote skills partnerships**, either on a bilateral basis or involving a number of Member States and partner countries, in order to ensure that labour migrants meet the destination country labour market requirements. Cooperation based on joint and mutual recognition of vocational training standards would not only benefit European labour markets by addressing longer-term skills and manpower needs but also partner countries by enhancing the skills levels on their own labour markets and by benefitting from higher remittances of their citizens who would be able to work at their respective qualification levels.
- › **[REC 35] Launch an EU programme for young African entrepreneurs** based on the ERASMUS+ programme, combining training with a European company for up to 12 months and virtual coaching. Such an initiative would contribute to improving their know-how, facilitate exchanges of experience, learning and networking.
- › **[REC 36] Scale up pilot projects on labour migration** from third countries, and test new approaches and cooperation with new regions, such as the countries of the Silk Routes region and Eastern Europe, taking into consideration broader labour market and development strategies of both origin and destination countries, and partnering with local authorities or the private sector. Such projects should establish synergies

and coherence among projects on legal migration, entrepreneurship, skills development, vocational education and training, education, investment and development.

- › **[REC 37] Support cities in the area of labour migration, recognising their significant role in shaping talent policies and strategies** through transnational, multi-governance platforms of cooperation, creation of high quality services for talents and their spouses and family members, as well as measures aimed at integration in the local community.
- › **[REC 38] More actively involve the private sector** in determining labour shortages as well as designing and implementing practical measures (e.g. skills partnerships, pilot projects on labour migration, recruitment, attraction of talents) to ensure that sector needs are fully reflected.
- › **[REC 39] Support technical cooperation with source countries of labour migrants to provide targeted information** and pre-migration integration measures to potential migrants such as language and orientation courses, for example through information centres that offer comprehensive support and operate in close cooperation with the authorities. Link these measures with vocational training and upskilling in conjunction with labour migration policies, skills matching and cooperation on skills development. Such support might be accompanied by measures aimed at improving institutional capacities in the partner countries to effectively cooperate with partners from destination countries.
- › **[REC 40] Integrate migration and skills enhancement into development cooperation** in a more systematic way in order to create needed skills in origin countries that are aligned with education systems/standards in EU Member States.
- › **[REC 41] Support Member States in the area of labour migration policies through technical and expert support**, leading to increased institutional knowledge on effective labour migration policies, enhanced institutional capacities and inter-agency cooperation on designing, implementing and monitoring comprehensive and sustainable labour migration policy frameworks.

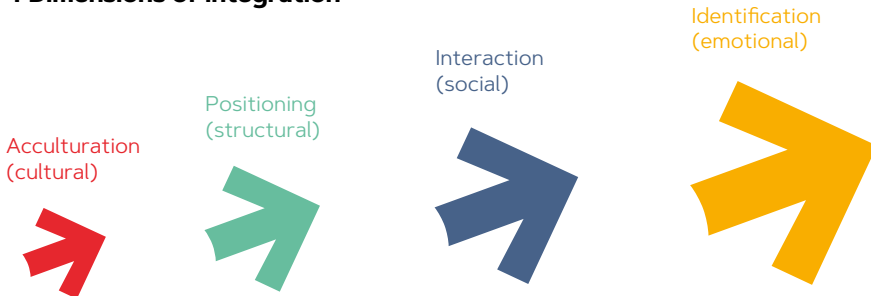
5

Putting integration back on the European agenda

The recent large refugee inflow in the main EU countries of asylum imposed tremendous stress on public authorities and host societies alike, not only in regard to initial reception and accommodation but also the educational systems and the labour markets. While the number of asylum applications has decreased considerably since the peak year of 2015, the need for continued efforts to integrate refugees and regular migrants will have to remain a priority for the next decade or more. At the same time, integration priorities often take a backseat when seemingly more important issues are on the agenda. Despite a number of remarkable initiatives and the efforts of numerous stakeholders, including the private sector, and some tangible achievements, it remains a reality that, overall, migrants tend to have worse economic and social outcomes than the native-born population. In the case of labour market outcomes, the most common challenges,

which limit the contribution of recognised refugees and regular migrants to European societies, relate to basic educational and language skills, education more broadly—with migrants and their descendants experiencing lower educational outcomes than their peers with native-born parents—gaps in formal vocational training, the recognition of qualifications/assessment of skills and discrimination in recruitment processes. To close the employment gap between the native-born and regular non-EU migrants, integration as a long-term process requires special measures targeting those who recently arrived, as well as broader inclusion processes in all sectors, particularly education and employment, and investing in orientation programmes at the pre-departure stage. Better aligned integration policies will moreover support labour migration schemes and the creation of an environment that is conducive to attracting talents.

4 Dimensions of integration



Source: Own creation based on Hartmut Esser, 1980, 2001



- › **[REC 42] Raise awareness among Member States about the importance of integration** as well as about potential costs for social cohesion and security if the integration of migrants and recognised refugees does not receive the necessary political attention. Integration as a long-term process needs to take into account the needs of different target groups, including second and third generations, together with the needs of the resident population.



- › **[REC 43] Emphasise integration measures in the areas of language, labour market, education, European values and orientation, and prioritise Europe-wide approaches for the recognition of skills and qualifications.** Place special emphasis on the empowerment of female migrants and recognised refugees and support actions that focus not only on migrants but also on resident populations in order to prepare societies for diversity, and implement preventive measures against xenophobia and discrimination to dissolve barriers to migrants' contributions to their communities.
- › **[REC 44] Support efforts of Member States towards increasing the employability and employment of recognised refugees and migrants** by sharing knowledge and promoting good practice examples of labour market integration measures implemented by both the public and private sectors.
- › **[REC 45] Prioritise integration measures that start as early as possible,** including for asylum seekers with high prospects of being granted a status and for those whose leave order has been suspended, to ensure that waiting times are not wasted.

- › **[REC 46] Introduce more accessible funding for cities and small-scale actors,** including simplified procedures of application and implementation. The local level is the key arena where integration succeeds or fails, yet local actors involved in integration policies often encounter difficulties in accessing and exchanging know-how and good practices, as well as in tapping into EU-funding for integration purposes.
- › **[REC 47] Evaluate integration outcomes and the effectiveness of policies,** including through the EU-wide application of integration indicators and monitors as well as through in-depth qualitative and quantitative research.



- › **[REC 48] Facilitate coordination and cooperation between EU Member States, and between local and central government levels and "new" countries of immigration** with regard to the development of integration approaches through EU funding and based on an evaluation of tested innovative programmes that have the potential to be replicated. Integration challenges can be most effectively addressed based on a multi-level approach, devising and implementing principles, policies and concrete measures at European, national, regional and local levels.
- › **[REC 49] Support innovative technical cooperation between local actors and peer-to-peer dialogue on the municipal level**—fostering networks and partnerships for mutual learning about specific urban challenges relating to integration and social inclusion—through facilitated access to EU funding.

6

Integrating enlargement countries into Europe's regional migration system

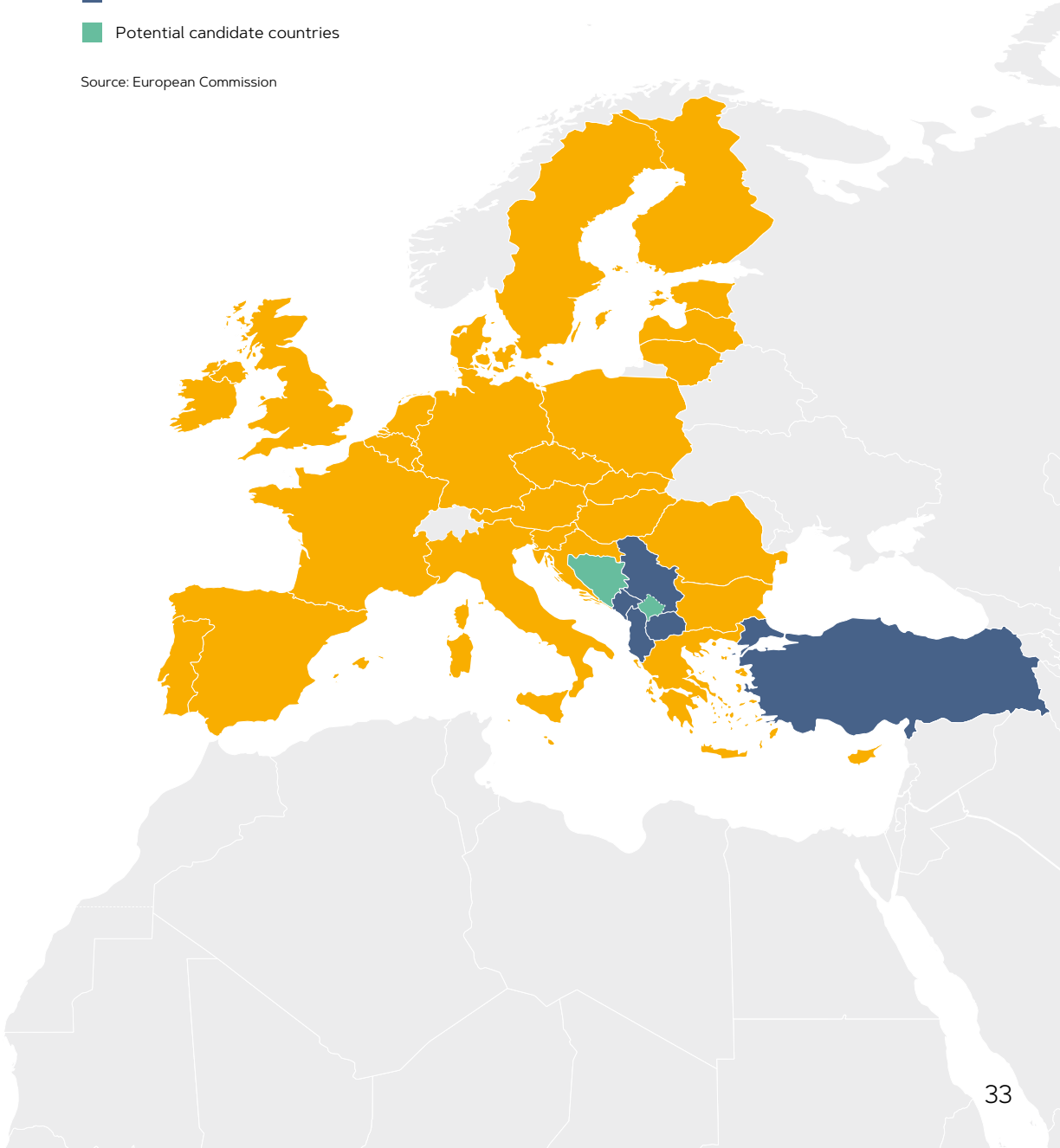
Given their crucial role related to migration towards the EU, the enlargement countries deserve special attention and an integrated approach that goes significantly beyond crisis management support and reacting to ad hoc needs. Support to the enlargement countries to carry out the necessary reforms towards the EU Acquis is essential. Yet, it cannot be the only strand given their strategic role in a coherent European migration system. Pressing problems include low reception capacities, limited human resources for

efficient identification and rapid deployment in crisis situations as well as difficulties in monitoring migration flows and the regular exchange of information between all countries. Moreover, countries lack functioning return systems, particularly with regard to cooperation with countries of origin. The EU-Turkey Statement and its related action plan showed what a difference cooperation can make, and yet again underlined the strategic position of Turkey for a functioning European migration management system.

Candidate and potential candidate countries

- EU States
- Candidate countries
- Potential candidate countries

Source: European Commission





- › **[REC 50] Integrate the Western Balkan countries into the EU's regional migration system** by including them in cooperation frameworks, initiatives and networks, including vis-à-vis partner countries outside the region, and enhance opportunities for regular mobility, given their strategic role and prominent position as accession countries.



- › **[REC 51] Design programmes that take into account proximity, accession perspective and the region's geopolitical location** through whole-of-the-region programmes that cover the entire migration cycle. Support bilateral relations between countries of origin and transit to find joint objectives and develop agendas of common interest and deepen cooperation and information exchange among EU, the Western Balkan countries and Turkey.



- › **[REC 52] Introduce innovative schemes for labour migration** for Western Balkan countries to channel migration via legal pathways, taking into consideration the local context and labour market needs, and learning from Germany's Western Balkan Regulation which was effective in incentivising regular migration channels and in doing so reduced the numbers of people using the asylum system.
- › **[REC 53] Support Turkey's efforts in furthering an effective migration management system, including the creation of livelihoods for refugees, education and labour market integration and enhancing its return management capacities.** Ensure support to all actors, including those that are involved directly in integration measures.
- › **[REC 54] Support the Western Balkans' engagement with their diaspora** in a structured manner by innovative EU-funded programmes aimed at incentivising diaspora investment and other forms of economic cooperation between countries of origin and and their diaspora members, given that close to one third of the population of the Western Balkans is living abroad which negatively impacts human capital, competitiveness and overall economic development.

7

Broadening cooperation agendas with partner countries

Cooperation with countries of origin and transit is at the forefront of the EU's external action on migration, encompassing regional migration dialogues, the Migration Partnership Framework, the EU Trust Fund for Africa and related instruments. Regional migration dialogues, bringing together countries along migration routes, have served to enhance common understanding and information sharing, and have enabled consultations between origin, destination and transit countries thus filling gaps in international cooperation on migration. Besides regional migration dialogues, instruments such as mobility partnerships, country "compacts" and other arrangements aim at establishing stable structures for dialogue between the EU and respective partner countries, but have to be streamlined and developed further.

Economic and population growth, access to information and aspirations combined with economic inequality, youth unemployment and socio-cultural factors drive migration. Africa's population, but also the population of Afghanistan and Pakistan, will increase by a factor of two-to-three in the future, depending on which development scenario unfolds. With just below three percent of Africans living outside their home country, the emigration rate is currently low compared to other regions of the world and can be expected to increase. In order to enhance the potential of dialogues and partnerships for better migration management they need to be built on the principles of trust, joint goals and objectives, and be balanced and mutually beneficial for all partners. Without respecting the realities of partner countries, cooperation in partnership frameworks will only yield limited results.

ICMPD support to dialogues on migration

- **Prague Process**
50 participating states
- **Budapest Process**
59 participating states
- **Khartoum Process**
41 participating states
- **Rabat Process**
58 participating states
- **EUROMED Migration IV**
36 participating states

- **Mediterranean City-to-City Migration Project**
19 participating cities:
Amman, Beirut, Casablanca, FAMSJ (Andalusian Fund of Municipalities for International Solidarity, Seville, coastal area around Cadiz), Grenoble, Lyon (city and metropolis), Lisbon, Madrid, Naples, Oujda, Rabat, Sfax, Sousse, Tajoura, Tangiers, Tripoli (Libya), Turin (metropolis), Tunis, Vienna

Source: ICMPD
Includes observer countries.





- › **[REC 55] Invest in a comprehensive, sustainable and long-term approach** with partner countries built on areas of common interests and priorities and going beyond migration, in addition to broader shared challenges including geopolitical instability, demographic developments, climate change and socio-economic issues. Migration provisions should be more strategically included in trade agreements and development cooperation, taking into account their own overriding objectives.
- › **[REC 56] Strengthen the capacities of origin countries to assist and protect their nationals** in countries experiencing conflict or natural disaster to reduce migrants' vulnerabilities and reduce their need for further onward movements.



- › **[REC 57] Enhance the potential of existing instruments** that aim to deepen cooperation through better coordination mechanisms and embed these in longer-term frameworks that go beyond short-term or crisis-related needs.
- › **[REC 58] Accompany partner countries in building solid and sustainable national (implementation) structures** to increase their "funding absorption capacity", particularly if the goal of spending ten percent of the Neighbourhood, Development and International Cooperation Instrument on migration is anchored in the proposed Multiannual Financial Framework. Ensure the availability of financial means and cooperation instruments at the right time in order to support short-, mid- and long-term needs.

- › **[REC 59] Emphasise the added value of the informal and non-binding nature of migration dialogues**, their concrete projects and technical cooperation that underpin policy discussions.



- › **[REC 60] Broaden cooperation agendas:** even if small in scale, selective labour migration schemes are an important step towards acknowledging the priority of partner countries for legal pathways, in addition to supporting further developments of their own migration management systems. Visa facilitation is a powerful leverage for cooperation, and schemes should proactively be used to incentivise the development of skills and opportunities for African entrepreneurs and workers, ensuring that these skills can contribute to both foreign and domestic labour markets.
- › **[REC 61] Develop the existing mobility partnership facility further into a "migration partnership facility"**, a sustainable cooperation instrument that would offer EU Member States and the EU the possibility to react quickly to needs and/or political agreements, focussing on operational as well as dialogue supporting measures.
- › **[REC 62] Support regional economic cooperation and integration in Africa and other parts of the world**, including through promoting regional freedom of movement and improved mobility, which will enable people to utilise new opportunities in their region of origin. Partners will benefit from sharing the positive experiences in establishing the Schengen area.

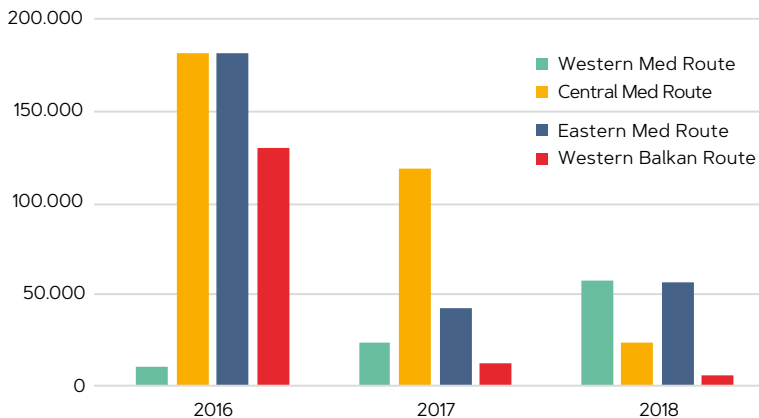
8

Applying a whole-of-migration-routes approach

Geography matters in shaping patterns of migratory flows. Most cross-border migrants move within their regions of origin or move to countries based on kinship, ethnic networks or favourable admission regimes. Migration flows not only link countries of origin with those of destination, for migrants set foot in a number of countries and specific locations in between. With regards to irregular migration, the main routes entering the EU currently are the Western and Eastern Mediterranean routes. Although the exact proportion is unknown, it is believed that the majority of migrants, including asylum seekers, use smuggling services to gain entry. Migrants and refugees, particularly

those who are most vulnerable, face various protection challenges along the routes, including exploitation and abuse, death, trafficking, forced labour and other human rights violations. Adopting a whole-of-migration-routes approach hence focusses on strengthened cooperation with countries along the main routes migrants use, tackles the root causes of movements of people who did not intend to move in the first place but did so because of (perceived or real) coercion or lack of opportunities, provides legal pathways to labour migration and secure pathways to protection for those in need of it, and aims to curtail human smuggling and combat trafficking in persons.

Migration routes to the EU



Source: European Border and Coast Guard Agency, 2019



- › **[REC 63] Follow a coherent migration routes approach** with regard to analysis and measures. Send a strong signal about concrete humanitarian, protection and development measures along migration routes, especially towards Libya. Devise cooperation frameworks and partnerships along migration routes, including permanent coordination mechanisms complemented by more responsive and streamlined funding structures, coordination and coherence of the main policy areas interlinked with migration such as trade, development, environment, energy and security. The envisaged single funding instrument—covering all the instruments for neighbourhood and development cooperation—would cater well for a whole-of-migration routes approach as it allows for flexibility and joint projects of origin, transit and destination countries in the European neighbourhood.
- › **[REC 64] Develop a joint understanding** of what is meant by “tackling the root causes of migration”, which is crucial for joint and effective action by Member States, and for applying a common language in their relations with partner countries to effectively implement the envisaged spending target of the foreseen Neighbourhood, Development and International Cooperation Instrument.



- › **[REC 65] Apply policies that also address migrant smuggling on the demand-side**, including addressing root causes based on situation analyses and awareness campaigns designed and implemented with trusted messengers, as policies which focus solely on the supply-side of smuggling services increase the risks faced by migrants

- › **[REC 66] Better link migration, protection and anti-trafficking activities** by building the capacities of asylum authorities to identify trafficked people. This can be accomplished by incorporating the screening and identification of vulnerabilities and potential trafficking cases into the asylum process, accompanied by providing specialised training to asylum authorities and putting procedures in place for referral.
- › **[REC 67] Enhance the knowledge base of Member States on trends along routes**, for example by adding qualitative data and analysis to the weekly Integrated Situational Awareness and Analysis (ISAA) reports, and establish risk assessment and early warning systems based on existing national practices.
- › **[REC 68] Implement actions to address the root causes of irregular migration and displacement**, focussing on enhancing (vocational) training, and invest in the creation of more productive, sustainable and better jobs, social protection and good governance, as well as strengthen resilience capacities of third countries through development and humanitarian aid.



- › **[REC 69] Implement multi-country and multi-agency cooperation activities** based on sharing intelligence and police cooperation which collectively target smuggling hubs where the intensity of smuggling activities is the highest. Such an approach should be based on an understanding that policies that are unilateral and not comprehensive might simply shift irregular flows and smuggling activities to other routes.
- › **[REC 70] Design and conduct joint exercises involving states along routes** in order to proactively prepare for potential emergency situations.

Moving forward

Change realities and convey a convincing narrative on migration

European citizens rate migration and integration among the most important topics, which is also a result of the extensive coverage of these topics in media outlets. According to the 2018 Eurobarometer, they do not consider immigration as the most pressing issue anymore, but a majority also thinks that EU action in the area of migration is insufficient. They expect the EU to do more. This gap between expectations and perceptions of EU delivery in the field of migration policy means that much more needs to be done to address Europeans' concerns. Scepticism about migration, on the one hand, results from factors that have little to do with migration per se, namely economic restructuring, widening income gaps or diminishing access to opportunities. On the other hand, Europeans are also sceptical about migration because of what they perceive as a demonstrated lack of ability of governments and the EU to effectively and consistently handle migration. To reduce this gap between expectations and perceptions of EU delivery, it is clear that the EU as a whole and its Member States' governments need to deliver better migration policy results. To do so, however, they also need to maintain, or even create, sufficient room for manoeuvre with their sceptical publics to actually engage in future-oriented policy-making based on facts, not perceptions. Hence, the need for more effective and strategic communication on migration, migration policies and their intentions is a priority and a necessity for moving forward.

To subsequently gain the confidence of the sceptical public, there needs to be a debate that speaks to "hearts and minds", a debate that also accounts for emotions, and creates opportunities for frequent contact and exchange with migrants and refugees.

It needs to pay specific attention to large sections of the population often referred to as the “moveable middle”, those without a clearly defined position. And lastly, it needs governments and the EU to communicate openly about the reasons for political decisions taken, their complexities and how the decisions taken will, in both the short and the long run, meet the needs of societies.

Hence, the way forward needs an EU that delivers better migration policy results and communicates a credible narrative on migration, one aimed at preserving the discursive space necessary for democratic and rules-based policymaking.

Endnotes

- ¹ For example, the 2018 “Position paper of Cyprus, Greece, Italy, Malta and Spain on the Proposal recasting the Dublin Regulation”, proposals by senior officials from seven Member States for a “Future European Protection System”, the Austria-Denmark “Vision for a Better Protection System” or the 2019 initiative by Germany, France, Italy and Malta to agree on a temporary distribution scheme.
- ² ICMPD believes that the very composition of its Member States—consisting of EU Member States, accession countries and Switzerland—and its unique scope of work can make a special and valuable contribution to this debate.
- ³ The following consultation meetings have been held:
- Member States Consultation Meeting on the European migration agenda after 2019 elections (13 February 2019, Brussels)
 - Session during the 4th ICMPD Advisory Board Meeting with the aim of discussing the general concept of the recommendation paper (8 April 2019, Vienna)
 - Expert Roundtable on central issues for European migration policy until 2025 (8 April 2019, Vienna)
 - Expert Roundtable on policy options in the area of labour migration, integration and public attitudes towards migration (9 April 2019, Brussels)
 - Member States Consultation Meeting on the future of the external dimension of the EU’s migration policy (9 March 2019, Brussels)
 - Member States Programme meeting on cooperation in and with the Western Balkan countries (7 May 2019, Vienna)
 - Session during the Steering Group Meeting with the aim of presenting and discussing preliminary recommendations (14–15 May 2019, Ohrid)
 - Member States Consultation meeting on funding for migration governance (23 May 2019, Brussels)
- ⁴ ICMPD has currently 17 Member States: Austria, Bosnia and Herzegovina, Bulgaria, Czech Republic, Croatia, Hungary, Malta, Poland, Portugal, Republic of North Macedonia, Romania, Serbia, Slovakia, Slovenia, Sweden, Switzerland, Turkey

**International Centre for
Migration Policy Development
(ICMPD)**

Gonzagagasse 1
A-1010 Vienna

www.icmpd.com

November 2019

Responsibility for the information, including any remaining errors, as well as for the views expressed herein lie entirely with ICMPD and can in no way be interpreted to reflect the official opinion of its Member States. Boundaries and names shown and the designations used on the maps do not imply official endorsement or acceptance by ICMPD.

Design and Layout by
Rosebud

Printed in Austria by
Wograndl Druck GmbH, Mattersburg

www.icmpd.org