

## ALDE BLUEPRINT FOR A NEW EUROPEAN AGENDA ON MIGRATION

In recent years there have been regular reminders that the **EU asylum and migration system** is not fit for purpose and needs a fundamental rethink. The large numbers of migrants dying in the Mediterranean trying to reach the shores of Europe have put into question Europe's commitment to human rights and this together with increasing pressures on our Eastern border from Ukraine and the Western Balkans have led many EU citizens, encouraged by populists to perceive migration as a threat.

The existing asylum system is based on the Dublin Regulation that puts significant pressure on member states with external borders by forcing asylum applications to be made in the country of entry. The Dublin system has further increased irregular migration within the EU and which is further exacerbated by variations in the processing of asylum applications between member states due to the fact that EU asylum legislation is not properly implemented and obligations are not respected.

There have not only been failures with the **common European asylum system** but also with **economic migration** towards the EU, which has neither been getting easier nor better organised, despite the demographic realities and the needs of labour in Europe's private sector. Current bureaucratic procedures for entry into EU member states for work purposes do not make the EU an attractive destination for the skilled workforce and there are very limited legal entry possibilities for non-skilled workers in spite of the demand for them in parts of the EU.

Ruthless smugglers and traffickers are exploiting thousands of people trying to enter the EU, the majority of whom are fleeing conflict and have the right to international protection and this happens without an adequate European response.

The current EU asylum and migration systems consists of a patchwork of pre and post Lisbon measures that are not always properly funded, with no internal coherence, no fair system for responsibility-sharing, and no visibility for the citizens. EU external policies and development cooperation with third countries do not focus enough on the root causes of migratory flows nor do

they link in with EU home affairs policies. A coherent approach is needed, based on a long term vision.

The ALDE group is committed to ensuring the 'European Agenda for Migration' is based on a European approach underpinned by **solidarity** between member states **fulfilling their responsibilities**.

In this context the ALDE group proposes **a blueprint for the new European agenda on migration** with 4 main clusters that distinguish between people seeking asylum in the EU and those who choose to come here for economic reasons:

- I. **A centralised common European asylum system: replacing the Dublin system with a new centralised EU distribution system that would allocate refugees between member states and would be coordinated by an enhanced EASO (European Asylum Support Office).** This European approach would promote responsibility sharing between member states whilst keeping the integrity of the asylum system;
- II. **A new European policy on economic migration:** meeting demographic challenges and addressing future labour immigration needs by extending the scope of the EU blue card to cover both skilled and non-skilled workers, EU wide;
- III. **Addressing irregular migration:** reducing irregular entry to the EU with a reinforced Frontex agency to carry out search and rescue at sea, the creation of safe and legal entry possibilities for asylum seekers and proper return and readmission mechanisms;
- IV. **A comprehensive European approach:** linking internal and external policy on asylum, irregular migration and economic migration.

The ALDE blueprint will be founded on three core foundations:

1. A new centralised system for the processing of asylum applications and distribution of refugees between member states coordinated by an enhanced European Asylum Support office (EASO);
2. A Smart EU Blue Card that acts as an EU wide work permit for both skilled and non-skilled workers;
3. An enlarged mandate and increase in budget for Frontex to enable it to carry out rescue missions at sea.

As well as the core elements ALDE proposes a number of secondary measures to enhance them as well as proposals to improve existing rules.

#### **I. A CENTRALISED COMMON EUROPEAN ASYLUM SYSTEM:**

**The EU and its member states have international obligations first set out in the 1951 Geneva Convention to protect those seeking asylum. The asylum system is only for those people who are fleeing war, serious harm or persecution.**

**A centralised common European Asylum system has to be underpinned by an approach that is both 'common' for all member states and 'European' not leaving individual member states to deal with problem hotspots on their own.**

**It is clear that some of the existing rules don't work. The 'Dublin' system for allocation of responsibility is based on the principle that asylum applications should be made and processed in the first country of arrival, which creates an unfair distribution between member states.**

**As the core of a strong common European Asylum system, ALDE propose a new centralised European system for processing asylum applications and distributing refugees that replaces the Dublin principle of point of entry. As clearly set out in the Treaty, the new system would offer a genuine European approach whereby people are granted asylum to the EU rather than to an**

**individual member state. This new centralised system would be organised through an enhanced EASO.**

**As well as a new system for the allocation of refugees, ALDE insists that the current regulatory framework known collectively as the Common European Asylum System (CEAS) is properly implemented and all possible measures are utilised, which is currently not the case. ALDE also want to enable the requests for humanitarian visas from refugee camps in third countries.**

**In order to ensure a centralised common European asylum system ALDE calls for:**

- the development of a European asylum policy as an **alternative to the 'Dublin system'** with a new two-step distribution scheme for refugees. Member states first voluntarily provide space for refugees and secondly, if not enough spaces are available, EASO should work with national asylum authorities to allocate refugees between member states. A compulsory population key should be used to determine how many places each member state shall provide based on both quantitative data (GDP and population of the member state) and qualitative data (Language, cultural ties, family ties of the refugee);
- an **enlargement of the mandate of the EASO** to allow the Agency to process EU asylum claims under a new distribution system; EASO should be represented in every member state with a mandate to process asylum claims and fully support, both financially and technically, member states on the front line to process and treat with dignity asylum seekers; **increase the financial resources for the EASO** (2014 budget: less than € 16 million);
- **legal and safe routes to the EU for asylum seekers** to be established through the **issuing of humanitarian visas at EU embassies and consular offices**; humanitarian visas would provide temporary entry into the EU so that asylum applications could be processed safely within the EU; member states to use existing EU legislation such as Article 25 in the Visa Code and Article 5 in the Schengen Borders Code, making it possible to grant humanitarian visas for asylum seekers;
- a European approach on resettlement for persons in need of protection and the introduction of systematic **mandatory resettlement programmes** at EU level in case of significant stream of refugees, for example from Syria and Iraq;

- **integration strategies for asylum seekers** should be strengthened at national, regional and local levels examining best practice, where integration has worked as well as cases where integration has failed;
- the Commission to **review the 2001 directive on minimum standards** for giving temporary protection in the event of a mass influx of displaced persons, and in particular to **propose objective criteria to define a "mass influx"** as this absence of criteria has until now prevented any triggering of the directive;
- the Commission to provide a specific definition of "assigned area of movement" as used in Directive 2013/33 (Reception directive) to avoid applicants' movements being restricted to a small area of a city;
- an **end to the detention and unnecessary transfers of minors** insisting that the best interests of the child should always be the primary concern in line with court ruling C-648/11 and the promotion of legal provisions for ensuring effective legal and/or institutional representation for the unaccompanied minors seeking international protection;
- the Commission to initiate **infringement proceedings** and introduce sanctions in cases where the asylum acquis is not correctly implemented by member states;

## **II. A NEW EUROPEAN POLICY ON ECONOMIC MIGRATION:**

**A comprehensive EU labour migration policy in order to make it an attractive destination for foreign workers, both skilled and non-skilled, to take into account the demographic challenges such as the ageing population in the EU, and to mitigate the shadow economy.**

**Entry requirements and free movement rules should be robust but not burdensome or over bureaucratic if they are to be used and avoid pushing migrants towards unlawful channels. Any EU action to attract third country workers should not be at the expense of the development of other countries by causing a brain drain towards the EU.**

**At the core of a new European policy on economic migration, ALDE proposes an extensive revision of the EU Blue Card making it possible to obtain for both skilled and non-skilled workers based on objective criteria, that if fulfilled allow a Blue Card to be issued. The new EU Smart Blue Card**

**needs to be a realistic equivalent to the US Green Card to attract innovation and innovative businesses and to facilitate start-ups hiring non-EU workers.**

**In order to develop a new European policy on economic migration ALDE calls for:**

**- the development of a new EU Smart Blue Card by revising the existing Blue Card directive to enlarge its scope and establish an EU wide work permit for both skilled and non-skilled workers with limited bureaucracy to attract the migrant workers we need, allocated to reflect the demand in different sectors in each member state ;**

**- an information campaign** to inform migrants about legal ways of entering Europe and about risks associated to irregular migration; this campaign should build on lessons learnt with the “CIGEM” (centre d'information et de gestion des migrations) in Mali, and go beyond, using also social media

**- the revised proposals for EU visa rules** to be adopted in such a way so as to facilitate movements of people on business, tourists, students, researchers and others in order to spur economic growth in Europe, including harmonised application procedures for Schengen visa and different EU national visas.

**- stereotypes towards migration** to be actively challenged with facts in the context of public debate;

**- the possibility for an easier shift from failed asylum seeker to labour migrant** for those who are already established in a member state and find work.

### **III. ADDRESSING IRREGULAR MIGRATION:**

***With limited resources, the stricter we are with irregular migrants, the more generous we can be for refugees.*** Irregular entry into the EU will be made less attractive if there are safe and legal entry possibilities for asylum seekers and proper return and readmission mechanisms for irregular migrants.

**Safe and legal routes to the EU for those seeking international protection is the most efficient way to fight the smugglers and the almost daily tragedies in the Mediterranean. However, while people are risking their lives to reach the EU by sea, there need to be adequate rescue operations**

in place. The treaty leaves search and rescue operations at sea as a national competence and currently funding for Frontex operations is only voluntary leaving excessive burdens on certain member states. A European approach is needed because member states external borders are EU borders.

In order to protect the Schengen area, common measures are needed to stop the loss of lives and irregular immigration. Trust between member states has been undermined by unilateral actions such as Denmark reintroducing border checks or proposals to introduce border checks between France and Italy in the context of the fight against terrorism in the aftermath of the Arab Spring.

In order to address irregular migration ALDE calls for:

- a review of the Frontex regulation to ensure **compulsory contributions from all member states to Frontex operations** and a **substantial increase of the Agency's budget**; a "communautarisation" of **the competences for search and rescue** operations at sea so that Triton becomes a fully- fledged European search and rescue operation like Mare Nostrum;
- a **European System of Border Guards** to be set up, with common training, including on Union and international protection legislation and fundamental rights. This would automatically increase cooperation between Member States and enhance solidarity;
- a **review of the "Return directive"** in order to ensure it is used properly and to add safeguards to protect migrants' rights such as increased minimum standards for detention conditions and to ensure that victims of human trafficking, in particular women and children, are not treated as criminals;
- increase information to citizens of third countries on the realities of irregular migration by training people who entered via irregular migration to become "**migration ambassadors**" to inform people in their country of origin of their experiences;
- a **better exchange of information** between member states through the **Schengen Information System** and a rejection of any weakening of the Schengen rules in the context of the fight against terrorism;
- the Commission to initiate **infringement procedures** if any member states reintroduces controls at internal borders in contradiction with the Schengen rules;

#### **IV. A COMPREHENSIVE EUROPEAN APPROACH:**

**In addition, the EU needs to develop a comprehensive answer to causes of the humanitarian and refugee crisis at its borders: design a development cooperation policy as well as a common foreign and security policy to promote peace and security, face armed conflicts, prevent failure of state structures, deal with consequences of humanitarian catastrophes and help lift people from poverty.**

**In order to ensure a comprehensive, European approach to migration, ALDE calls for:**

- the EU to cooperate with partners in the eastern and southern neighbourhood on migration management to be strengthened, with more focus on and investment into protection of human rights; at the same time, the EU must not outsource its own obligation on asylum to neighbouring countries;
- EU's humanitarian aid to countries which host people displaced by war (as is currently the case e.g. with Lebanon, Jordan and Turkey) to be massively increased, as well as financial assistance for migration management, conditioned on protection of human rights;
- EU's development assistance to source countries of economic migration to be re-assessed, to help create conditions for people to stay and build an existence in their home countries (e.g. protection of private property is key);
- the EU's ability to deploy civilian and military missions, as envisaged by the Treaty (Art. 43 TEU), to be upgraded, so as to assist countries in EU's vicinity with rapid intervention forces for conflict prevention, peace keeping, humanitarian interventions as well as border control;
- a political dialogue in the context of migration policy between the EU, countries of origin for EU migration and transit countries to help support governments of EU partner countries with the fight against organised crime and smugglers.