



Consiglio Regionale del Molise



WORKING GROUP
“IMMIGRATION, SOCIAL POLICIES
AND HUMAN RIGHTS”

DRAFT FINAL DOCUMENT

BACKGROUND

In 2014, 283,532 migrants have entered illegally into the European Union, through the routes of the central Mediterranean, the Eastern Mediterranean and the Western Balkans. Of these, 220,194 migrants have passed the EU maritime borders across the Mediterranean Sea (an increase of 266% compared to 2013). Half of them came from Syria, Eritrea and Afghanistan.

This constant flow of migration from third countries of Africa and the Middle East, which did not mention to decline in early 2015, has strongly urged the European system of reception and, more, that of some EU member states .

The issues related to the management of migratory flows, in fact, affect in particular the sub-national level, because regional and local authorities are in the forefront for the reception of migrants, facing enormous difficulties in guaranteeing basic services such as sanitation, water supply, education, health, food, etc.

It is at this level that the impact of migration in the socio-economic fabric feels more acutely through everyday problems of integration and reception of migrants. Many regional and local authorities, particularly those at the external borders of the EU Member States, are particularly affected by an increasing flow of migrants, asylum seekers and refugees, that have to be received and welcomed.

The national systems and the European one did not seem, in recent years, able to formulate a framework of organic and defined answers to the migration phenomenon. On several occasions, in fact, the system of European reception showed the weaknesses which have been counteracted with emergency interventions.

However migration flows in the Mediterranean and their management do not constitute an emergency situation, but rather a complex and structural process, which

presents significant challenges, but also opportunities for the whole of Europe that should be seized for greater economic and social integration.

GIVEN THAT

Immigration in the Mediterranean reveals - in a very critical - some of the main contradictions and problems in the current European policies. Among these:

- a) the contradiction between the need for strict control of migration for security reasons and the need for greater liberalization about personal mobility required by the European labor market;
- b) the impossibility to stop or drastically reduce - at least in the short term - a migratory flow that, although undesired, is still unavoidable;
- c) schizophrenia - even stronger after September 11 - between the fear of integration of immigrants and the necessity of assimilation;
- e) the difficulty of mixing internal purposes (security and European labor market) with external objectives (stabilization of the Mediterranean, democratization and development of Third Countries);

On 8th and 9th July 2015 the Committee of the Regions has approved in plenary session, after strenuous work, the "*Draft resolution for a sustainable EU approach about migration*" demanding, among other things, the strengthening of systems of reception and integration of migrants and the respect for the principle of accountability enshrined in Article. 80 of the Treaty on the Functioning of the European Union.

The "Immigration, Social Policies and Human Rights" CALRE Working Group has taken the important commitment to analyze and propose opinions on the European immigration policies and how they are transposed and implemented by the European Regional Legislative Assemblies.

The "Immigration, Social Policies and Human Rights" CALRE Working Group therefore wants emerge as European platform designed to facilitate pluralistic dialogue and active participation of the Regional Legislative Assemblies on immigration and integration European policies.

The challenges raised by migration in the Mediterranean and along the entire Union's external borders are well documented and are the focus of media and political debates fueled by nationalists or even populists schemes. The "Immigration, Social Policies and Human Rights" CALRE Working Group opens up this issue by asking a rational debate based on objective data able to draw a new European strategy for a common immigration policy.

The absence of a common European immigration policy, the recent tragic events - that keep reoccurring - with loss of life in coastal regions of Libya, Malta, Greece, Italy and Spain, the arrival - in steady growth - of refugees from the borders of Syria, the complexity of the problem and the size of migration flows have put a strain on the ability to react, especially of European regions bordering the Mediterranean. For this, the "Immigration, Social Policies and Human Rights" CALRE Working Group welcomes the fact that immigration issues have been included among priorities of the European Commission presided by Jean-Claude Juncker.

All this in the introduction, the "Immigration, Social Policies and Human Rights" CALRE Working Group invites, therefore, the European institutions and the Member States to take a decisive step beyond rhetorical statements and declarations of principle and to adopt concrete initiatives that, once implemented, should give tangible results. This should be done not only through close cooperation between the institutions, but also through the involvement of the Regional Legislative Assemblies and local authorities.

Based on the work carried out the "Immigration, Social Policies and Human Rights" CALRE Working Group recommends the following:

Common European Asylum System

- The EU should give priority to achievement of a high level of protection, which reduces the current margin of discretion, and access to effective judicial protection of asylum seekers, so that rights can be effectively exercised and implemented.
- The new phase of EU immigration policy should have a strategic approach, with a medium and long term, and focus to facilitate in general and global legal channels, open and flexible, for entry into the European Union.
- The Dublin Convention, that determines the responsible Member State for the examination of individual asylum request, is based on the assumption, erroneous, that all the EU Member States are similar to each other. It is necessary and urgent proceed with the revision the entire "Dublin system", replacing it with a scheme marked by greater solidarity within the European Union that reflects both the will of the asylum seekers and objective criteria, thus ensuring a more proportional allocation of responsibilities between Member States.

European Agenda on Migration

- With the publication of the European Agenda on Migration, has begun a new phase in the European reception system. Member States retain, however, discordant praxis and different levels of protection. It is necessary to ensure the implementation of the principle of solidarity and fair sharing of responsibility, to distribute the asylum applications in a more balanced way between the Member States.
- Through the application and continuous updating of the priorities of the European Agenda on Migration, the European Union must become a global player to promote the introduction of international standards and the ratification of supranational instruments on human rights of migrants by member states. The European Union

must also forge strategic alliances with other international actors involved in issues related to the mobility of persons and human rights.



Irregular migration

- EU borders policy should be based on a greater sharing of responsibility in the control and in the management of borders. Because of their geographical position, some European regions have to tackle specific problems since they represent crossing points for illegal immigration and asylum seekers, often receiving a number of immigrants above their capacity. The European Union must introduce procedures for solidarity at the financial, operating and reception levels.
- It is necessary to improve cooperation with the countries of origin and transit of migration flows, according to a perspective that leaves the "emergency" character in favor of a development strategy based on long-term sustainability.

The role of regional and local authorities

- In all the discussions that will cover the implementation of European migration policies, it will be necessary ensure closer coordination between the different levels of government - international, national and local ones - for the proper management of migration flows. In all the discussions that will cover the implementation of European policies on immigration, it will be necessary ensure closer coordination between the different levels of government - international, national and local - for the proper management of migration flows. It will be necessary also to take into account the role of regional and local authorities, as well as that of all the other stakeholders who act as a first point of contact with migrants. The "territorial and local perspective" is crucial in time to ensure subsidiarity, proportionality and the impact of these policies.

- It is necessary to develop networks and tools for cooperation and sharing of best practices between sub-national authorities of the regions of Europe on various aspects related to the management of migration (integration, social inclusion, employment, refugee protection, the prevention of irregular migration, etc.).

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"Immigration, Social Policies and Human Rights"

CALRE Working Group

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