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Published by the EuroMeSCo Secretariat at the IEEI, Lisbon.

47

Immigration and the Euro-Mediterranean Area: Keys to Policy and Trends

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EuroMeSCopaper . 47

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September 2005

This paper was produced with the financial assistance of the European Commission. The text is the sole responsibility of the authors and in no way reflects the official opinion of the Commission.

Introduction: Migration Trends	05
Economic Complementary, Control of Flows and the Limits of "Communitarising" Policy	06
The Euro-Mediterranean Area: Development, Polarisation and Security	07
Unemployment, Complementarity and Demography	07
Challenges for Source Mediterranean Countries: Remittances, Brain Drain and Transit Areas	08
Immigration Policies: Migration Management, Labour Flows and Diversity	08
Security and the Foreign Policy Agenda	11
Reconsidering EU Level Policies	12
The Euro-Mediterranean Partnership: Development and Circulation, and Security as a Priority	12
Policy Recommendations	15
Bibliography	16
Annex I – The Euro-Mediterranean Migratory Context	18
Annex II – World Congress on Human Movements and Immigration: relevant points for the Euro Mediterranean region	19

There is a need to review established migration policies, given current trends in migration to Europe. This paper examines the Mediterranean area as a source and destination of human movements; the difficult coexistence between policies to control migration and the need for labour; the challenge of establishing national and Community policies; and lastly, Euro-Mediterranean migration issues, as these are at the heart of some of the most interesting challenges to the establishment of migration policy within the framework of the Euro-Mediterranean Partnership (EMP).

According to EUROSTAT-MED¹, at the end of the 1990s 3.5% of the population in the European Union was of immigrant origin (18 million people). Of this population, 5 million are from Mediterranean countries, 41% from Morocco, Algeria and Tunisia, and 59% from Turkey and the former Yugoslavia. Thus, in the year 2000 there were people of Mediterranean origin distributed throughout different countries of the European Union, who arrived in Europe at different historical periods.

	European Union	% foreigners of MED	% of third country foreigners	% of the total of foreigners in the EU*
Algeria	657,84	13,2	5,2	3,6
Morocco	1,141,136	22,8	9,0	6,2
Tunisia	286,084	5,7	2,3	1,5
Egypt	64,762	1,3	0,5	0,4
Jordan	18,637	0,4	0,1	0,1
Lebanon	98,664	2,0	0,8	0,5
Syria	37,748	0,8	0,3	0,2
Israel	30,251	0,6	0,2	0,2
Palestine	192**	0,0	0,0	0,0
Cyprus	11,084	0,2	0,1	0,1
Malta	11,652	0,2	0,1	0,1
Turkey	2,695,251	53,3	21,3	14,6
	5,053,301	100,0	39,3	27,3

Algerians, who are mostly living in France and represent around 13% of EU foreign immigrants, arrived mostly after Algerian independence. Moroccans account for 22% of the immigrant population of the EU: indeed, there are 1,140,000 Moroccan immigrants in the EU, which means that 82% of Moroccan emigrants live here. There are 60% in France, 15% to 20% in Belgium and Holland, 6% in Spain and 10% in Italy, with these countries now among the top five destinations for Moroccan migrants. The Turks are the most significant immigrant group from the Mediterranean: they represent 50% of immigrants of Mediterranean origin living in the EU. This group arrived mainly during the economic growth period of the 1960s. Most Turks – 2 million – are in Germany, but there are also communities in France (4%) and Holland (4%). More recently, because of the Balkan wars and political instability in Algeria there has been a significant increase in the arrival of refugees and asylum seekers from those places, creating a situation similar to that caused by the economic migration.

There are diverse and complex migration flows within and from the Mediterranean: there are South-North flows (Europe-Maghrib) South-South flows (from Algeria and Tunisia to Libya and the countries of the Maghrib and Egypt to the Persian Gulf), and East-West flows (from the Balkans and Turkey to Western Europe). And there are issues and characteristics in Mediterranean migratory flows that are common to global migratory movements, namely: feminisation, the migration of highly and poorly qualified labourers, new transnational movements and networks, illegal trafficking in people, overlapping of flows of refugees and asylum seekers, as well as illegal immigration. Unsurprisingly, because most of the EU migrant population is from the Maghrib and Turkey, analysis of migration in the Western Mediterranean and the Maghrib has predominated in the study of migrations in the Euro-Mediterranean area.

Countries from the South – Spain, Italy, Greece and Portugal – have been added to the countries traditionally receiving Mediterranean migratory flows, becoming destination rather than source countries. The recent enlargement of the EU raises the question of how migratory flows will be affected, particularly the potential for a competition between flows from the East and Southern Europe. It is not predicted that there will be

Introduction: Migration Trends



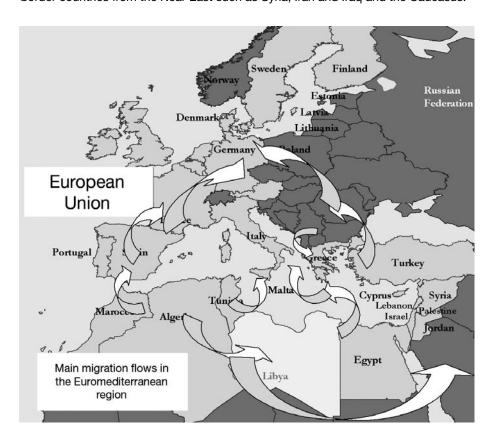
Foreign Residents of MED-12 present in the European Union

Source: Euro-mediterranean Statistics, Eurostat 1999
* Included nationals of member States living in other EU country

^{**} Figures only from Portugal, Greece and Spain

- Khader, Bishara, Elargissement à l'est et impact migratoire sur les pays arabes et méditerranéens, Lisbon, Euromesco Papers, 2003.
- **3.** SOPEMI, *Tendances des migrations internationales* (Paris: OECD, 2002).
- **4.** Jean-Louis Reiffers, *L'impact de l'élargissement de l'UE sur les Partenaires Méditerranéens*, 7th Annual FEMISE Network Seminar, April 2003.

mass migration to the new members of the EU (the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia, Malta and Cyprus)² because of their demographic profile (low fertility and ageing), the prolonged period of transition for the free circulation of workers (up to seven years) and increased expectations for improved socio-economic conditions. Nonetheless, over the medium-term new EU members will become a destination for migrants and become immigrant rather than emigrant countries (as has been the case of the southern Mediterranean countries, particularly Spain and Italy). The main flow of migration that will compete with flows from the south of the Mediterranean will originate from the new member States to the east. Indeed, it is estimated that with enlargement the origin of the principal flows of migration to the EU will be Turkey, the countries to the east of the new EU border, the Balkan countries and, above all, the southern Mediterranean countries. The eastern border has very specific features: permeable frontiers, wide areas of contact, the attraction of the new member States of the EU, the development of illegal immigration networks, and a notable income differential. Due to proximity, migratory movements will continue (from the Mediterranean to EU southern countries and from the east to the new members). Over the medium-term, the incorporation of Turkey will increase flows from that country. Further, it is important to bear in mind that the EU will then border countries from the Near East such as Syria, Iran and Iraq and the Caucasus.



Economic Complementary, Control of Flows and the Limits of "Communitarising" Policy

Migration to Europe has undergone various different stages with decolonisation (with flows to former metropolises), labour migration to sustain the economic growth of the 1960s and, flows pertaining to family regrouping and of exiles during the so-called "zero immigration" period. At present, three factors shape migration management in Europe: the need to maintain an open channel for immigrant labour, the regulation of admission through reinforced border controls, and the need to integrate migrants. One key trend is shaped by the demand for workers for certain jobs. The sustained economic growth of the 1990s and the ageing of the population have opened up many job vacancies, the latter having led many European countries to open their doors to immigrant labour.3 This is true for qualified and highly qualified sectors such as information technologies, health and the agri-food and in some countries, for unskilled jobs. This contrasts with the evolution of migratory policies of more restrictive countries. An apparent contradiction emerges in this context between the need for labour and the unwillingness to solve that need through legal immigration policies.4 Making European migratory policies more open to facilitate flexible and dynamic temporal and regular movements is a key issue, and some source countries (mainly in the Maghrib) favour such policies. However, security and border control is

also a burning issue at present, and is at odds with labour market demand and with the strategic importance of emigration for source countries. Although the EU seeks to "communitarise" its policies, the EU member States still pursue policies that address their particular national situation.

The 1995 Barcelona Process turned the Southern Mediterranean countries into partner States of the EU in an attempt to create an area of development and economic and political stability, with a view to establishing a free trade area by 2010. In accordance with the three principles of that Process - security, trade and the circulation of people - the idea is that migratory pressures should be diminished through job creation, combating illegal immigration and by protecting the rights of legal immigrants. There are links between migration and security, and between social and economic stability and a governance deficit. A successful free trade area would have an impact on migratory pressures. Ensuring stability and migratory flow control through economic development and a free trade area is a long-term process, with possible negative effects in the short term.⁵ The Southern Mediterranean is now an economically polarised region, given the unequal evolution of economic growth over the last few decades: although the Mediterranean countries have experienced great income per capita disparity in the past, the progression from the top (France) to the bottom (Morocco) has been balanced: there were seven income per capita levels, with a 25% to 45% gap between one and the other.6 By the end of the 1990s, two separate groups emerged, however, and the distance between extremes had increased as the most developed countries converged with their northern neighbours and the less developed countries of the south experienced diminishing per capita income levels. So there are now two polarised groups of countries, which are very homogenous among themselves and highly heterogeneous with reference to the other group.⁷ It should be noted that this does not imply a short-term decrease in the rate of migration because current socio-economic inequalities resulting from globalisation8 are one of the main motors of the migratory flows.

The Euro-Mediterranean Area: Development, Polarisation and Security



The risks inherent in the demographic differential in the Southern Mediterranean and the Maghrib in particular, are only one aspect of a wider issue. Although southern countries will witness a historically high number of people entering the labour market in the first decade of the twenty-first century, this will be a peak and there is already an observable decrease (birth rates are declining) that will imply a population decline in absolute terms from 2010 onwards.9 Thus, the employment of this historically high labour force is more of a concern than population issues, particularly as this record high coincides with a labour market that cannot absorb it, particularly due to the labour market situation created as a result of IMF recommended economic reforms. The demographic differential is related with the fact that while the north has already undergone a demographic transition and has birth rates below the replacement level¹⁰, the south is halfway through this demographic transition. Further, while there is a decreasing active population and ageing in the north, in the south the active population will outstrip employment needs. This means there is a situation of complementarity between the two sides of the Mediterranean: the south can provide the north with the active population it lacks. Population ageing in the North is a two-dimensional process: on the one hand, people are living much longer, which puts pressure on pension systems (replacement migration is not a solution here, as immigrants also age); on the other hand, baby-boomers are retiring, which means more demand for labour, both skilled and unskilled. It is illusory to think that immigration can fill this gap; nonetheless, migrants will benefit from the opportunities offered by northern labour markets requiring workers from the South. The imbalance between newly economically active people and those retiring in the North creates continuity problems for social welfare systems based on intergenerational solidarity. In this context, increased economic migration generates an "asymmetry of social benefits", 11 as a growing number of active immigrants contribute more than proportionately to funding pensions, and local active populations contribute more than proportionately to funding schooling for immigrants' children.

Unemployment, Complementarity and Demography



^{5.} Philippe Fargues, Les politiques migratoires en Méditerranée Occidentale: contexte, contenu, perspectives (OIM Dialogue sur la cooperation migratoire en Méditerranée Occidentale (5+5) Rencontre Ministérielle, Tunis, 2003).

^{6.} Joan Esteban, Economic Polarization in the Mediterranean Basin (Institut d'Anàlisi Econòmica, CSIC and Universitat Pompeu Fabra, 2001).

^{8.} Stephen Castles Globalization and Migration, Europe-Mediterranean Seminar. Immigration Policies (Barcelona: Institut Europeu de la Mediterrània, 2002).

^{9.} Philippe Fargues, op.cit.

^{10.} Bishara Khader, op.cit.

^{11.} Philippe Fargues, op.cit

The Euro-Mediterranean Area: Development, Polarisation and Security

There is great heterogeneity among the countries of the Southern Mediterranean. There are immigration countries like Libya and Israel, and there are emigration countries like Turkey (which shows signs of becoming a diminishing source of migrants to Europe); there are countries experiencing growing immigration pressures such as Morocco; and there are Western Mediterranean and Middle Eastern EMP countries that have become transit areas for flows from Asia or Sub-Saharan Africa (Cyprus and Malta are notably affected by such global human flows, and as members of the EU they have become "intermediate stops" in trans-Mediterranean migratory flows). ¹² The countries of the Maghrib are the main source of EU migrants.

For these countries, immigration allows for a reduction of pressure on local labour markets, and is an important source of foreign currency as well as professional training of locals who migrate to the EU.¹³ However, the impact of these factors is unclear. For the most part, monetary transfers are not an investment factor and their productivity is insignificant. Further, remittances can increase inequalities among social sectors, and also cause inflation.¹⁴ And when recipient countries offer qualified employment (information technologies, health and the agri-food sector) preference is accorded to specially trained individuals, which actually causes a brain drain, which not only diminishes the availability of quality human resources in the sending country, but it also entails a high financial cost, given that training is paid for by the country of origin whereas the benefits of that training is enjoyed by the destination country.

Current migration flows are characterised by great mobility, and the southern Mediterranean countries and the Maghrib in particular are becoming "ground zero" for various human movements from Sub-Saharan Africa to Europe. ¹⁵ This means that illegal immigration is increasing as a result of immigrant networks that operate in countries such as Morocco or Algeria. So the context is not very propitious for a Euro-Mediterranean dialogue on migration, and that context may worsen as a result of enlargement (there are now 37 partner States to contend with). All this will affect relations between the enlarged EU and its bordering countries, including the Mediterranean countries.

Immigration
Policies: Migration
Management, Labour
Flows and Diversity

Managing non-Community immigrant admission is squarely on the agenda because of demographic factors and the needs of the European labour market. There is a debate between those who argue for restrictive policies to curtail economic migration and accept asylum seekers and refugees, and those who look at the decrease in available labour and population ageing and advocate more liberal approaches. In the 1990s, those advocating a "zero immigration" policy called for the complete closure of borders and of access for new immigrants. However, the flow of arrivals did not decrease as demand for immigrant labour led governments to leave the backdoor open.16 In this context, migration policy was not open, as is clear in the regularisation processes reactive "post-migratory policies" - undertaken by various EU governments. This is now changing, as governments are aware that only migration management policies will allow countries to reap the benefits of immigration and integration. The shift from control and restriction to management has been evolving gradually since Tampere, where the aim of producing a common asylum and immigration policy was proposed for the first time. A 2000 declaration of the European Commission on a Community Immigration Policy later put an end to zero immigration and recognised the EU as an immigration area. This recognition was especially evident during the Belgian presidency of the European Council in 2001, when it was affirmed that immigration is a European reality and the development of migration management policies became an explicit goal.

Migration management has two dimensions: a foreign (source country) and a domestic (migrant admission) dimension. There is a tension between the two. Current trends suggest that there must be a balance in management as follows: (1) immigration should be part of the foreign affairs agenda; (2) security issues are at stake in immigration control; (3) the key challenge for the EU is to commit to a multicultural reality and the integration of settled immigrants, particularly in light of the evolving process of communitarisation and the shift from the third to the first pillar.

The "communitarisation" of immigration policies culminated at the European Council in Tampere in 1999, which approved the *Space of Freedom, Security and Justice* that defines the principles of common immigration and asylum policies as: (1) cooperation with countries of origin in policy-making; (2) the establishment of a European asylum system; (3) fair treatment for nationals from third countries in the EU; (4) the common

^{12.} Ferruccio Pastore, *Euro-Mediterranean Relations and International Migration* (Rome: CeSPI, 2001).

^{13.} Jean-Louis Reiffers, op.cit.

^{14.} Jean-Pierre Garson, Las migraciones, libre-cambio e integración regional en el Mediterráneo (Paris: OECD, 1998).

^{15.} L. Barros and M. Lahlou, *La inmigración irregular subsahariana a través y hacia Marruecos* (Geneva: ILO, 2002).

^{16.}Jan Niessen, *International Mobility in a Globalising World* (Cape Town: ACP-EU Joint Parliamentary Assembly, 2002).

management of the migratory flows. The Treaty of Amsterdam (1999) gave member States years to prepare the transfer of third pillar asylum and immigration policies to the first pillar, so that a common policy replaces intergovernmental cooperation. The Tampere initiative was supported by the European Council of Laeken of 2001, which emphasised the need for an EU foreign policy on migration flows. The Council of Seville of 2002, however, set aside migratory flows management and focused instead on short-term proposals mainly related to combating illegal immigration, strengthening the security dimension, and ignoring the philosophy behind the Space of Security and Justice enunciated at Tampere. Following the European Council in Thessaloniki, the inter-governmental logic introduced in Seville was somewhat mitigated with the introduction of a qualified majority for decisions on migration. This has implied a return to the Community logic, with the European Commission heading the establishment of common immigration policy. It is likely that this will affect the agenda-setting process at future summits when immigration policies are again debated. 18 Be it as it may, the principles established at Tampere - migration flow management, economic immigrant admission, association with third countries and the integration of nationals from third countries - are still valid and it is urgent to ensure their implementation. Five years after Tampere it is not possible to make a thorough assessment of the communitarisation process, although there is some basic legislation on standards and regulations on asylum, on free circulation of third country nationals within the EU, and a directive on family regrouping and programs on integration (integration guidelines). 19 In November 2004 the Hague Programme (or New Tampere) was approved,²⁰ which aims to: (1) establish a common European asylum system; (2) facilitate legal migration and limit illegal employment; (3) integrate third-country nationals; (4) strengthen the foreign policy dimension of asylum and migration policies; (5) and manage migration flows.

In contrast with the three principles of the Tampere programme, the focus is on policies for legal migration, concern with illegal immigration, including integration in the agenda, and focusing on the foreign policy dimension of migration policy. Above all, the main characteristic of the Hague Programme is that instead of aiming to harmonize an EU-wide immigration system, it seeks to coordinate member State policies according to political principles that pave the way for a coordinated EU immigration strategy.

As regards legal immigration, the aim of establishing an Action Plan to address that issue should include admission procedures that can respond flexibly to fluctuating labour market demand for migrants. First step to attain this goal was taken with the publication of the Green Paper on an EU approach to managing economic migration,²¹ a document that pinpoints overlapping areas in the 25 regulations in place at present so as to forge a common strategy on migrant labour regulation. As regards illegal migration, the Hague Programme proposes solutions through EMP. The European Border Agency established in May 2005 will also contribute to policy-making in this domain. Concerning integration, the Hague Programme has gone beyond the issue of fair treatment of nationals from third countries, and refers specifically to equal opportunities. Further, the Council has established 11 common principles to govern immigrant integration, with a view to coordinating national and EU policy.²² And finally, as regards the foreign policy dimension, there is an attempt to take seriously the relationship between migration and development. The European Commission took a first step by putting the migration in a broader context and taking into account the driving forces of international migration, and the specific situation of people in need of protection, as well as the effects of international migration on developing countries.23 In response to a request by the Council,²⁴ the European Commission will issue a report on migration and development focusing on strengthening communication between transnational communities and their country of origin, improving the efficient use of remittances to further macro-economic development of countries of origin, and ensuring that recruiting of highly skilled labour is coherent with development objectives vis-à-vis country of origin.

Demographic and economic disparities between the north and south of the Mediterranean means that flows of immigrant workers to Europe have persisted and zero immigration has become a non-starter, giving way to what has been called the perverse effects of stop policies.²⁵ These include the involvement of non-institutional actors in the labour market outside legislative frameworks,²⁶ and the definitive settlement in destination countries of immigrant populations that give up on labour mobility because of the difficulties involved. It should also be noted that stop policies affect the typology of the labour force: the most highly qualified move to countries with more lax legislation such as the United States, and the most representative flow of persons to Europe is that of unemployed or unqualified labourers that enter Europe illegally.²⁷ This paralyses temporal immigration and limits humane circulation

18. The project of the European Constitution presented at the Thessaloniki summit of 2003, included a specific section on security and justice. Decisions on immigration were placed under the control of European institutions and subjected to a qualified majority for the first time. In Articles 153 and 163 of the projected Constitution, it is stated that, "the Union will develop a common immigration policy destined to guaranteeing efficient management of migratory flows."

19. Comisión Europea, Espacio de Libertad, Seguridad y Justicia: balance del programa de Tampere y futuras orientaciones (COM(2004) 401 final).

20. Council of the European Union (2004) *Presidency Conclusions. Annex I. The Hague Programme.*

21. European Commission, *Green Paper on an EU Approach to Managing Economic Migration* (COM (2005) 811 final).

22. Council of the European Union (2004), op.cit., p. 20.

23. European Commission, Integrating Migration Issues in the European Union's Relations with Third Countries I: Migration And Development (COM(2002) 703 final)

24. Council of the European Union, Draft Council Conclusions on Migration and Development (8927/03).

25. The term "perverse effects of stop policies" is found in Ferrucio Pastore, op. cit., and EuroMeSCo Report 1998/2000.

26. Ferruccio Pastore, *op.cit* . **27.**Jean-Louis Reiffers, *op.cit*.

and contact between people from both sides of the Mediterranean, as there are difficulties for those who do not want to emigrate, ²⁸ as well as hardship for those who have emigrated and need to re-circulate. ²⁹ For these reasons, European migratory policy must address the management of non-permanent regular flows, ³⁰ a dynamic kind of immigration that permits a constant flow of people and efficiently responds to the needs of the labour market without producing social tensions in receiving societies. Among other things, this involves ensuring the right to receive a pension, or encouraging the return of skilled workers who were trained in their country of origin. Over the long-term, however, a common immigration policy must address two main issues that touch on the nature of the labour market in years to come: population ageing and the retirement of the baby-boomers in particular, which will reduce the active population and call for new labour to cover demand. This is of great importance as it affects economic growth prospects.

The EU is developing a strategic framework for the labour market and migration. The European Commission linked national debates among different social actors - unions, entrepreneurs and NGOs - in each member State with the community-level debate on immigration. The first step was to integrate the issue into the European Agenda of Social Policies, including the European Employment Strategy that emerged from the synthesis of distinct national employment plans. Thus, in the Report on the Method for the Supervision of the Development of National Immigration Policies of 2001 the Commission called on member States to adapt national employment plans to migration factors. The idea is that the Commission will make a synthesis of national plans indicating common problems and identifying areas of action and common solutions where appropriate. The first Commission proposal presented to the European Council was the Directive Proposal on Family Regrouping. This process was initiated in 1999 and ended in 2003, although legislative transposition to member States occurred in February 2005. The aim is to guarantee the right of family regrouping for married couples and their underage children. At present, family reunification represents around 60% of immigration in EU member States, and each State has its own, greatly varying, legislation. In 2001, the Council rejected this first Directive Proposal. After Laeken, the Commission presented a new project, which was examined by the European Parliament in April 2003. The latter expressed concern about the changes made to the first proposal. The last revision of this directive by the Internal Market Ministers31 presented more restrictive rules for family reunification, but still member States rejected some of the directive proposals to facilitate reunification, so it is now more difficult to start a reunification process. The time period required to start the process was broadened from three to six months, but Germany, Great Britain and Spain rejected it. The concept of family included non-married couples and although this was accepted, admission conditions are so complex that they effectively nullify the proposal. Germany, Austria and Poland have been the most severe. Finally, compulsory legal residence to obtain permanent residence was widened from four to five years. The monitoring of the development of this first community directive serves to measure how difficult it is to reach a legislative consensus at the supranational level.

Access to citizenship is at the heart of the debate about immigrant integration policies. The idea is that citizenship would no longer be linked just to nationality and would therefore break with the concept of citizenship as a set of rights and obligations based on cultural identity as the mark of belonging to a political community. The issue of access to social rights is also at stake. EU member States have already recognised these rights through the welfare state, recognising the cultural diversity resulting from migratory movements and even (in some member States) the rights of political participation. Migration thus opens the door to a new concept of European citizenship. Of special interest is the potential for "mixed" citizenship status, like a "civic citizenship" of sorts granted by member States under their citizenship regimes, with a set of member Statespecific rights and obligations, complemented by a "Community civic citizenship" with a common core of Community-based rights and obligations. Clearly, member States regulations must comply with international fundamental rights principles and with the European "community of values" as referred to in Article 6(1) TEU.³²

The concept of "civic citizenship" is not uncontroversial, however. Key questions raised for the welfare state as a result of the arrival and presence of immigrants³³ include: (1) What balance should there be between contributions by and benefits for immigrants? (2) Are immigrants more dependent on welfare than the local population? (3) How far do immigrants recognise the generosity of the welfare state when they choose a destination country? Current trends in migratory flows also transcend traditional economic

28. Patrick Weil, Towards a Coherent Policy of Co-Development: Cooperative Efforts to Manage Emigration (CEME: 2001). 29. Ibid.

30.Jean-Louis Reiffers, op.cit.31. Brussels 22 September 2003 (El País, 23 September 2003, p 6).

32. J. Handoll, The Status of Third-Country Nationals Residing on a Long Term Basis", in: Philippe de Bruycker (ed), The Emergence of a European Immigration Policy (Brussels: Bruylant, 2003).

33. G. Aubarell and X. Aragall, Welfare State and Immigrant Integration Policies (European Institute of the Mediterranean).

immigration issues: the number of political refugees and asylum seekers is growing, as is the flow of illegal migrants, and this is happening in the midst of a debate on restructuring social expenditure and the welfare state.³⁴ Consequently, another debate is whether immigration will make the development of social policy programmes more difficult, particularly where there are more advanced welfare regimes in place.

Addressing migration through a security and justice perspective also means it will be necessary to monitor the Councils of Justice and Home Affairs in the European Council, particularly after the change in policy orientation following September 11 and March 11 when the security dimension became especially significant. The Council of Justice and Home Affairs of Seville under the Spanish presidency of the EU agreed to a range of measures on the regulation of illegal immigration with an emphasis on illegal immigration. Of special interest is stated the need to create a common asylum and immigration policy, and to articulate migratory flows in collaboration with countries of origin and transit. It was also agreed that reception and integration measures should respect the fundamental rights recognised by the EU. Four lines of action approved in Seville are particularly worthy of note: (1) measures to combat illegal immigration; (2) the coordinated and integrated management of external borders; (3) addressing immigration policy in EU relations with third countries; (4) and accelerating legislative work to define a common asylum and immigration policy. The Council of Seville inverted the order of priorities and again put control before migration management, revealing how the evolution of immigration policies at a community level depends on the international political agenda and member States' priorities.

The common management of migration flows should be a priority in relations between EU and third countries. There should be a principle of shared responsibility involving origin, transit and destination countries. Flows should not be stopped but managed, rationalised and not impeded, as this is reciprocally advantageous. Readmission agreements must establish a common return procedure that is satisfactory for both sides. Regional cooperation plans in the area of Justice and Home Affairs, and the MEDA and TACIS proposals should be considered, as they may help to strengthen political dialogue on migration between senders and receivers. The financial flows generated by remittances must be addressed within the shared management framework. Legal, cheap and easy transmission mechanisms must be established to mobilise this important asset. The Wider Europe report that the Commission submitted to the Council and Parliament in 2003 introduced a new framework for relations with the eastern and southern neighbours and Europe's role in areas of immediate proximity such as the Mediterranean.35 It recommends that the EU should establish mechanisms to facilitate the fluid flow of nationals from third countries in border areas, particularly those who participate in EU programmes. This will entail a revision of visa policies to allow greater mobility of persons living in the EU and in partner countries like those of the EMP. The report also notes that there should be measures to strengthen the integration of residents from third countries, with special emphasis on persons from neighbouring countries legally residing in the EU. Third, the report notes the importance of cooperation to combat illegal immigration and of mechanisms for repatriation via readmission agreements with countries such as Morocco, Algeria, Russia, Ukraine and Byelorussia.

The 2004 Wider Europe strategy and the European Neighbourhood Policy (ENP)36 strengthen the foreign agenda of migration, and the question is whether this may create an opportunity to "Mediterraneanise" the political agenda and generate a concrete stimulus to migration policy-making. Another important question is whether ENP will add to EMP migration policy. In the ENP migration is part of the development chapter. It goes beyond positive conditionality and introduces a mutual commitment to migration management. There is also an ad hoc approach to migration management based on differentiation and progressive implementation of principles (so that aid increases as migration management expenditures increase). The key point here is that ENP creates a new focus that will force the EMP to reformulate policy to take into account the emergence of new patterns of interdependence between EU and MENA countries.³⁷ In sum, migration is now the core issue of all north-south cooperation or partnership, but development has been devaluated and replaced by a growing concern with security. Interdependence means that the north needs the south and vice versa. Some actors are now more relevant (empowered), so the south is in a position to establish a pro-active agenda in address its priorities.

Security and the Foreign Policy Agenda

34. K. Zimmermann et al., Managing Migration in the European Welfare State (Berlin: German Institute for Economic Research, 2001).

35. See the Morocco Action Plan. The Action Plans with sending countries were already foreseen by Tampere. The Morocco action plan is particularly important because it is a difficult border to manage. It must go beyond security and include specific aid for territories that give rise to forced migration due to economic hardship, include aid to promote development, and lastly, establish alternative access to the EU to avoid illegal migration, by setting up training programmes for youths living in those areas, for example.

36. European Commission, European Neighbourhood Policy Strategy Paper (COM(2004) 373 final).

37. J-P Cassarino, "Rewarding Migration to Strengthen the Link between International Migration and Development", Paper presented at the Fifth Mediterranean Social and Political Research Meeting, Florence & Montecatini Terme 24–28 March 2004, co-organised by the Mediterranean Programme of the Robert Schuman Centre for Advanced Studies of the European University Institute and the Institut Europeu de la Mediterranean

Reconsidering EU Level Policies³⁸

Migration is a long-term social process with social repercussions at various levels: in source countries, transnational communities, networks and evolution are at stake; in receiving countries integration and debates about citizenship and multiculturalism are central. Immigration policy-making should be horizontal, which means it must address social, economic, cultural and human rights issues. It should also be a cross-country issue. Dialogue cannot focus solely on control and security. Codevelopment initiatives could make a positive contribution in this regard. The new policy-making context makes it necessary to develop legislation that protects human rights. EU migration policy is based on past intra-European migratory experience, but this differs from extra-European migration and current social needs. Today's highly mobile, dynamic and flexible labour relations contrast starkly with the labour stability and administrative rigidity of the 1960s. The EU has cooperation structures and agreements with third countries that constitute a solid basis for development policies focused on countries of origin. The most important issues in this regard are: (1) shared responsibility for managing migrant flows; (2) promoting investment and trade; (3) channelling and optimising remittances; (4) reversing the brain drain; (5) and promoting circular immigration and return.

The Euro-Mediterranean Partnership: Development and Circulation, and Security as a Priority

There are divergent priorities on each side of the Western Mediterranean, as receiving countries emphasise joint responsibility, control of flows and curbing illegal immigration, and source countries focus on co-development and the feasibility of the partnership project. Thus, the key issues at stake are related to the movement of people, the integration of immigrants and co-development.

There is much debate about the link between immigration and development. One consensus point, however, is that more socio-economic development means less involuntary emigration and increased voluntary emigration.³⁹ Further, more development means less emigration, although the two phenomena evolve in a parallel and complementary way. Over the short term, emigration aids development in countries of origin by generating monetary transfers and introducing sociocultural changes. Beyond this, however, migration and development have different dynamics.40 EMP development cooperation aims to strengthen this linkage, to ensure development both in the country of origin and destination. Co-development means emphasising the human aspect of the Partnership. The Partnership has codevelopment instruments that link immigration with mid and long-term development within the framework of regional integration. The nexus between co-development and immigration is based on two factors: positive conditionality, which is a consolidated feature of Euro-Mediterranean relations and consists of aid in exchange for social change; and decentralised cooperation, which aims to involve existing networks and structures in different sectors of European and Mediterranean civil societies to extend cooperation beyond traditional intergovernmental diplomacy.⁴¹

It is necessary to encourage voluntary migration given labour demand and the need to cut back on illegal migration. The migration project contemplates the possibility of return or the benefits of circular migration between origin and reception countries. ⁴² This could make use of an "immigrant elite" that can contribute financial assets and know-how, but calls for a two way interaction and circular movement. ⁴⁴ The 2001 Report of the European Parliament on EU-Mediterranean Relations: A Re-launch of the Barcelona Process ⁴⁵ notes that migration policy must be based on the circulation of people otherwise it will favour illegal immigration. It is therefore necessary to make migration the core of cooperation based on co-development.

Border control and combating illegal immigration is a central security issue, but free trade and the mobility of people from Partnership countries are central elements of the Barcelona Process. The Wider Europe project for neighbouring countries from eastern and southern Europe and the role of the EU in proximate areas like the Mediterranean must also be taken into account. Free circulation as projected by the Wider Europe strategy requires multilateral negotiation, but the free trade area proposed by the Barcelona Process does not propose the free circulation of people. The contradiction between the two strategies is clear when one considers that free circulation is a long-term aim but that free trade in the medium term restricts the circulation of people and that over the short term migratory movements require flexibility in terms of the circulation of the labour force and visa policies. Moreover, there is the problem of the linkage between security and immigration: adding the latter to the list of security problems alongside weapons of mass destruction only helps to bolster the views of the

38. Conclusions, International Seminar on Immigration on the Euro-Mediterranean Agenda. New Keys: Partnership, Security and Development (Barcelona: European Institute of the Mediterranean-EuroMeSCo,

14 November 2003). **39.** Jan Niessen, *op.cit.*

40. Wenden de Whitol, Les rapports nord/sud de la Méditerranée: enjeux debats autour de l'immigration, Europe-Mediterranean Seminar on Immigration Policies (Barcelona: Institut Europeu de la Mediterrània, 2002).

41. G. Aubarell et al, "Immigration and Codevelopment in Spain", in: *Perspectives on Immigration in Spain* (Barcelona: Icaria, 2003).

42.The 5+5 initiative provides a framework of dialogue and regional cooperation between the Maghrib and Europe. It is an outstanding initiative given that it represents a meeting point between the priorities of the South and the North of the Mediterranean. Its member countries are Algeria, Spain, France, Italy, Lybia, Malta, Morocco, Mauritania, Portugal and Tunisia. The 5+5 Dialogue on Migration in the Western Mediterranean is a multilateral regional approach, and defines consensual priorities in the field of migration in the Western Mediterranean. These issues must be addressed in a regular and informal consultation process. The result of this exchange of experiences and best practices will optimise the positive effects of migration in source and destination countries.

43. Mohamed Khachani, *Links between Migration and Development* (AMERM: 2002)

44. Ibid.

45. European Commission, Paper of the European Commission on the EU/Mediterranean Region Relations: A Relaunch of the Barcelona Process (Brussels: Commission of Foreign Affairs, Human Rights, Joint Security and Defence Policy of the European Parliament, 2001).

extreme right in Europe. There is a link between security and migration, but it is more complex that currently allowed for, and it is related with the absence of economic, social, civil and political security and governance deficits. Further, immigration is seen as a dual promoter of insecurity: there is increasing concern among origin countries about the risks that immigrants face as foreigners in the EU; and there is fear among destination countries about the tensions implicit in integration and about the challenges that irregular channels of immigration pose to public order. In this context, there is increasing instability in migratory policies: for receiving countries, migration is conditioned by political concerns linked to current security fears (illegal immigration, traffic of people, and the presence of Islamic fundamentalism) such that migration has become a tactical resource for political negotiation for source countries. The Partnership has focused on measures to promote economic stability and on the market to lessen pressures to emigrate, this has not changed EU policy fundamentally, as enlargement entails a displacement of aid to the east. In short, there is a missing link between the Barcelona Process and EU policy.

The Conference of Barcelona initiated the process of creating a Euro-Mediterranean framework for political relations and cooperation for the first time, through bilateral and multilateral regional cooperation among the countries that met at the Conference of Foreign Affairs Ministers of the EU and the 12 Mediterranean countries. It was recognised that international migrations have an important role to play, and that there was a need for increased cooperation to reduce migratory pressures through professional training aid programmes and employment creation schemes. It was also decided that there should be closer cooperation on illegal immigration. The partners agreed to adopt different measures through multilateral or bilateral accords to permit the readmission of illegal immigrants. But later Euro-Mediterranean conferences (Malta 1997; Palermo 1998; Stuttgart 1999) did not give these commitments any continuity, apart from reiterating the commitment to strengthen cooperation in this area.

The approval of a common EU strategy for the Mediterranean re-launched the EMP and recognised the Mediterranean as an important strategic region. The Feira strategy established the need for cooperation with the Mediterranean partners and to take on board social, cultural and economic realities affecting migration, including combating poverty, improving living conditions and work opportunities, preventing conflicts, consolidating democracy and ensuring respect for human rights. It was also recognised that it was necessary to establish a common policy to integrate nationals of member countries of the partnership with legal residence and long-term permits to allow them to attain gradual equality of status with EU citizens. The Euro-Mediterranean Ministerial Conference of Marseille of November 2000 constituted an important advance given its emphasis on intensifying dialogue, a more balanced approach, and its focus on exploring and strengthening the co-development and integration of legal residents in the EU. The Conference of Brussels echoed the conclusions of the Euro-Mediterranean Civil Forum, which dealt with the issues of migratory policy and the circulation of people. Particularly worthy of note were the aims of: (1) promoting a renewal of migratory policy no longer based on the logic of control and security where the circulation of people is concerned, and; (2) exploring the evolution of northern and southern demographic complementarity to promote relations of solidarity and eliminate the perception of threat.

The Valencia Action Plan, approved at the April Euro-Mediterranean Conference of Foreign Affairs Ministers held under the Spanish presidency of the European Council, included various short and medium term measures to stimulate the Barcelona Process and permit substantive advances. More specifically, the Valencia Plan proposed a Ministerial Conference on Migrations and Social Integration in the section dedicated to the social and cultural partnership. The Valencia conference also put forward a framework document to implement regional cooperation in the field of justice. More concretely, the three areas of cooperation proposed were: (1) immigrant integration and the promotion of their status in the receiving countries and of their relations with the country of origin; (2) strengthened dialogue and cooperation to manage migratory flows and human movements, particularly where asylum is concerned, and; (3) combating illegal immigration and the traffic in persons. The Valencia Plan established a framework for regional cooperation in the field of justice, to fight drug trafficking, organised crime and terrorism and to promote the social integration of immigrants, and to deal with migration and the movement of people. It also sought to promote bilateral agreements of admission of persons between countries of the EU and the Mediterranean, and between the partners and source countries (Sub-Saharan) for the repatriation of persons in irregular situations. The 2003 Ministerial Summit presented an opportunity to develop a global approach towards migration flow management and the integration of immigrants.

The 2001 EP Report on the re-launch of the Barcelona Process (elaborated by the Commission of Foreign Affairs, Human Rights, Joint Security and Defence Policy of the EP) pointed in the same direction. Of particular note are the following proposals: (1) the demand to the EU to implement a foreign policy towards the Mediterranean that lives up to stated ambitions, reminding the signatories of the Barcelona Declaration of the strategic importance of the Mediterranean and the privileged nature of the links created by proximity and history; (2) the recommendation of the Euro Chamber not to establish hierarchies and to focus as much on cultural and social issues (such as health, education, training, the rights of women and children, the conservation of a sustainable environment and infrastructure projects), as on economic, trade and security; (3) the call for the Council and Commission to find the means and legal instruments to ensure the creation of harmonious legislation in all member States on migratory flows. The most important proposal is that migration should serve the development of countries of origin by helping immigrants to develop projects in their countries of origin. This measure should be debated as part of the proposal for the common management of migratory flows. 48

Finally, the President of the European Commission Romano Prodi gave a speech on 17 May 2003 in Bologna, *Building a Euro-Mediterranean Area*, in which he emphasised that the Mediterranean region is a priority within the framework of enlargement. Prodi noted the need to find new instruments to manage the "problem of immigration" and to link immigration with the relationship between cultures as a fundamental value of European citizenship.

At the December 2003 Euro-Mediterranean Conference of Foreign Affairs Ministers held in Naples the central point was security, where the need to jointly promote legal migration and to combat illegal migration through readmission agreements covering illegal immigration was underlined. However, the Dublin Euro-Mediterranean Conference of Foreign Affairs Ministers of May 2004 adopted a more global view, stating that carefully managed migration could be a positive factor for the socio-economic growth of the whole region, and emphasising the importance of a comprehensive approach towards migration and the social integration of legally residing migrants. Tackling illegal migration in the Mediterranean Sea was still considered of key importance as well. The Hague December 2004 Euro-Mediterranean Conference of Foreign Affairs Ministers noted the importance of the European Neighbourhood Action Plans as tools to cooperate on key issues such as migration and combating major threats like drugs, terrorism and organised crime. Migration management was again seen as a threat within the context of ENP. But cooperation that addresses root causes and negative effects of transit migration is possible and necessary nonetheless. Fighting these negative effects could contribute to turning migration into a positive factor for growth. This means that cooperation should involve all aspects of illegal migration, the fight against human trafficking and related networks along with other forms of illegal migration, border management and migration related capacity building. The conclusions of this conference should be revised in light of the effects of the ENP on the EMP and existing patterns of interdependence, and southern countries could play and active role in establishing an agenda of cooperation to solve these negative effects.

- 1. In the context of the European Neighbourhood Policy, it is pertinent to ask whether this is an opportunity to "Mediterraneanise" the agenda and what this means for migration policy.
- 2. Migration should be dealt with as a foreign policy issue, and should be central to the strategy of Euro-Mediterranean regional integration.
- 3. Control should be replaced by a strategy for migration management.
- 4. The 5+5 initiative provides a framework of dialogue and regional cooperation between the Maghrib and Europe. It is an outstanding initiative as it represents a meeting point between the priorities of the south and north of the Mediterranean.
- 5. Security must be a multidimensional concept where migration is concerned. It should therefore include issues such as governance, cooperation, human security and economic and political stability, as security manifests complex phenomena.
- 6. Well-managed immigration stabilise the region. The EU and the Euro-Mediterranean area can become examples of how to make migration a win-win game and the management of immigration a key to stability and security.
- 1. The European Union must specify the relation to be established with countries bordering the enlarged Union.
- The European migratory policy must focus on managing non-permanent regular flows, a dynamic immigration that responds efficiently to labour demand without producing social tensions in receiving countries.
- Monitoring of the process of drafting and approval of the first community directive on the regulation of family regrouping is necessary to measure the possibilities for consensual supranational legislation.
- 4. Migration calls for a reformulation of the concept of citizenship, as it separates residence from nationality; this must not be forgotten in the development of European citizenship.
- Collaborative control and management will only appeal to source countries if there is a global immigration policy that deals with the situation in those countries and current flow trends.
- 6. At present, EU migration policy is controlled by interior ministries: it is necessary to break the monopoly of the domestic agenda, which currently is too influential, to the extent that it has even altered the concept of co-development by linking it to migrant return.
- 7. Foreign policies must refer to the control and readmission of those expelled and make migration a real asset in foreign policy at a Euro-Mediterranean level.
- 1. To increase the positive effects of the economic stimulus provided by immigration, it is necessary to implement an immigration policy that favours the circulation of people within the framework of the Partnership.
- 2. Economic stability, an important factor in alleviating the propensity to emigrate, cannot be solely about the market as an element of structural adjustment.
- 3. The Euro-Mediterranean partnership has instruments to implement a strategy of codevelopment in which immigration is a factor of mid- and long-term development in the framework of regional integration, such as that established in the Barcelona Process.
- 4. Immigration cannot replace a missing labour force but migrants can benefit from the opportunity offered by northern labour markets that require workers from the south (the demographic window of opportunity).

Policy Recommendations

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Annex I

The Euro-mediterranean Migratory Context

Lack of knowledge about the migratory policies of the countries of the Southern Mediterranean is one of the main problems for the study of human movements in the region. There is no systematic exchange of information among European governments or much academic interest in the issue. The importance of migratory movements in the Euro-Mediterranean area does not automatically result in the availability of upto-date information. What follows is a summary of the sources that provide the most updated information on the matter.⁴⁹

Eurostat Euro-Mediterranean

Until the 1999 edition, this report included demographic data on the EMP 27 countries and facilitating data on the EFTA countries. There is 1997 data on south-north flows, which shows that there were 13 million foreign residents in the EU (if we add the citizens of the EU who emigrated to other countries of the EU itself the figure is 18 million), which represents 3.5% of the population. Of these, 6.5 million come from countries outside Europe: 5 million (77%) from Mediterranean countries; 41% from Morocco, Algeria and Tunisia; and 59% from Turkey and the former Yugoslavia. The 2001 and 2002 reports do not include information about MED immigration in the countries of the EU and EFTA by country of origin. Another important source is MED-Migr, developed by Eurostat, which aims to improve existing systems of statistical production on migration and to promote homogenisation so as to establish a global comparative statistical framework.

Eurostat

Eurostat 2002 includes the number of foreigners by country of origin although the information is not complete for all countries and does not include the southern Mediterranean countries in detail. Data on persons originating from the Maghrib (Morocco, Algeria and Tunisia) appears in the 1999 report but not in subsequent editions.

CARIM

The Euro-Mediterranean Consortium for Applied Research on International Migration (CARIM) was launched in February 2004 as part of the MEDA programme adopted in Valencia in April 2002, concerning "cooperation on issues linked to the social integration of immigrants, migration and the traffic of people". It is financed by the European Commission (DG AIDCO) for an initial period of three years.

The CARIM is dedicated to achieving a better understanding of migration in the Mediterranean region and in particular of its impacts on the Mediterranean countries of the Middle East and North Africa (MENA). The objective of the CARIM is to observe, analyse and forecast migratory movements (their causes and consequences) originating in, transiting through or destined for the Barcelona Process countries.

OECD

The annual *Trends in International Migration* provides an exhaustive study of migratory movements and OECD country policies. Migratory flows, channels of immigration and the nationality of immigrants are described. The studies focus mainly on the impact of migrations on the labour market and wider labour migration trends. The studies on individual countries include the Mediterranean dimension but there is no specific study of migratory movements in the Euro-Mediterranean area. Such information is only available in thematic publications based on OECD conferences. This is the case of *Migration, Free Exchange and Regional Integration in the Mediterranean* (1998), which gives an overview of migratory movements in the Mediterranean area and assesses: (1) immigration as a factor of regional integration, and; (2) immigration and social integration. It also analyses case studies, mainly the countries of the Maghrib and Turkey.

IOM Report on Migrations throughout the World

The annual reports of the International Organisation for Migrations analyse global migratory movements. Of special importance is the regional division established to analyse the main elements of study. The Euro-Mediterranean area is divided in two: western Europe and the region of the Mediterranean, which includes the European Union, Malta, Cyprus and Turkey and the countries of the Maghrib (Morocco, Algeria and Tunisia); the remaining countries of the southern Mediterranean (Libya, Egypt, Jordan, Syria, Lebanon, Israel and the Palestine Authority), and the Middle East and Southern Asia, which includes the States of the Persian Gulf, Iran, Iraq, Afghanistan, Pakistan, India, Bangladesh and Sri Lanka. This structuring of the study of the migratory movements does not permit a unified analytical approach to the Euro-Mediterranean area.

In September 2004, took place in Barcelona the HMI world Congress, which gathered the main actors worldwide in order to seek to offer new and realistic ideas for future debates and the actions of policy makers. The HMI aimed to influence understanding and management of migration in the long run. In this congress there was a session devoted to the regional area Europe-Mediterranean. The November 2003 seminar, *Immigration in the Euro-Mediterranean Agenda. New Keys: Partnership, Security and Development*, co-organized by the European Institute of the Mediterranean (IEMed) and the Euro-Mediterranean Study Commission (EuroMeSCo) was a preparatory session. The following are the main outputs of the MHI session on the Europe-Mediterranean area:

International migration is caused by major economic, demographic, political, and security gaps between sending and receiving countries. This is particularly true for the migration flows between the Middle East and North Africa and Europe. These imbalances explain why Europe is and will continue to be a major destination for migrants despite growing efforts to control and eventually reduce the inflow of asylum seekers and regular as well as irregular labour migrants.

Immigration should be seen as a *factor of change* in the Mediterranean: well-managed immigration can help the stability of the region. The EU and the Euro-Mediterranean space can become an example of how to make migration a win-win game.

Long term strategies for *development* is the best tool for a better management of migration. It is important to help alleviate the constraints on public budgets following structural adjustments policies and the consequences on the increasing poverty and the incentives to emigrate.

Migration should be seen as a partial answer to both surplus labour supply in sending countries and aging and eventually shrinking domestic work forces in Europe. Migration can only play such a role if Europe is able to attract migrants with needed skill levels; and if these migrants have access to formal labour markets.

The approach to attempt at *unrestricted circulation* is based upon previous internal circulation flows (Portugal, Spain, Greece, Italy), however in the current EU already enlargement to the East, and the strategy undertaken by the EU with reference to the relations with the neighbouring countries (ENP) doesn't completely fit with the mobility of persons from countries with which the EU has already established association projects (Euro-Mediterranean Partnership, the Balkans, CIS).

A permanent dialogue between the EU and sending countries could explore the possibility of cooperation in various migration-related fields. In principle sending and receiving countries have a common interest to explore solutions that allow not only the countries and economies involved but also the migrants themselves to gain from geographic mobility of labour and labour skills.

Immigrants are fundamental actors in the Development of *Euro-Mediterranean Relations*. An important point in relations with the countries of North Africa are the millions of European citizens that come from that region, who are political, cultural and economic actors in European-North African relations.

Co-development as instrument of collaboration with the source countries, since migration could better work for development if it relies on the utilisation of the potential that different partners in migration and development have to create and develop networks which could only be efficient in a kind of long term contract and in a context of better economic and political stability in the country of origin.

In this sense, efficiency of financial tools for development should be improved, new tools could be created in view to better attract and channel the *migrant remittances* for the development of the country of origin and encouraging business and employment creation. The current development of these tools, such as micro-credits, could be extended if integrated in partnerships with commercial banks.

Management of immigration can play a key to stability and security. It is necessary to approach security in the field of migration but as a multidimensional concept rather than a specific issue. This is an approach to security which would include, therefore,

Annex II

World Congress on Human Movements and Immigration: relevant points for the Euro Mediterranean region

International immigration within the Euro-Mediterranean space

Migrations in the EMP framework

concepts such as governance, cooperation, human security, and economic and political stability, accepting that the security problem is the manifestation of a much more complex phenomenon.

The EU 25 immigration policy must be constructed encompassing the experiences and policies undertaken at a local level in order to effectively develop common policies at a level of social cohesion, labour integration and social integration. Also central in the analysis must be the immigration and European citizenship relation, the political representation and participation of the immigrants and the management of cultural diversity.

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