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Common immigration policy

Greens/EFA motion for a resolution

Tabled by Hiltrud Breyer, Monica Frassoni, Sepp Kusstatscher, Jean Lambert and Raúl Romeva on behalf of the Verts/ALE Group

The European Parliament,

- having regard to Article 6 of the EU Treaty and Article 63 of the EC Treaty,

- having regard to Article 42 of the EU Treaty,

- having regard to Article 67 of the EU Treaty,

- having regard to the conclusions of the European Councils of Tampere on 15 -16 October 1999, Laeken on 14-15 December 2001, Seville on 21-22 June 2002 and Thessaloniki on 19-20 June 2003,

- having regard to the 1999 Tampere and 2004 Hague Programmes on the Area of Freedom Security and Justice,

- having regard to the JHA Council meeting in Tampere on 20-22 September 2006,

- having regard to the ongoing discussions on the financial perspective, including the European Integration Fund, European Refugee Fund and the European Return Fund,

- having regard to the United Nations Population Fund state of world population report 2006 entitled 'A Passage to Hope: Women and International Migration',

- having regard to Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities,

- having regard to Rule 103(2) of its Rules of Procedure,

A. whereas 7 years after the adoption of the Tampere programme, the European Union does not have a coherent immigration policy, and is notably lacking in a consistent development policy as well as a legal migration and return policy,

B. whereas Article 42 TEU provides for the passerelle procedure on co-decision and Article 67(2) TEC provides for qualified majority voting in the Council in matters related to the third pillar,

C. whereas the Commission has adopted a communication on migration and development but has not achieved the necessary support for this approach in the Council,

D. whereas the Euro-African Ministerial Conference on Migration and Development in Rabat on 10 and 11 July 2006 adopted a declaration and an action plan,

E. whereas immigration is a result of economic disparities, widening gap between rich and poor countries, civil war, wars for control of natural resources, political persecutions and environment degradation,

F. whereas the current immigration policy of the EU and Member States aimed at curbing migration flows has by no means led to a drop in those flows, but has in fact contributed to making the situation more precarious without achieving the stated objectives,

G. whereas the number of women immigrants is constantly increasing in the EU, accounting for approximately 54% of the total number of immigrants and covering an increasingly broader range of categories (economic migration, family reunification, refugees, illegal immigration, asylum),

H. whereas women immigrants often encounter severe discrimination as individuals dependent on their spouse's legal status and because of the mentality, negative stereotypes and practices prevalent in the host society; and whereas, moreover, in some societies they face critical problems such as forced marriages, crimes of honour and female genital mutilation,

I. whereas human rights violations against immigrant women and girls in the form of so-called honour crimes, forced marriages, genital mutilation or other violations cannot be justified on any cultural or religious grounds and should in no circumstances be tolerated,

1. Firmly believes that EU Member States must respect their obligations under national and international law as regards immigrants;

2. Recognises the difficulties encountered by a number of EU Member States, notably Malta, Italy and Spain, in managing the migration flows of recent years;

3. Believes that the sharing of responsibilities and financial burdens between Member States must be an integral part of European common immigration policy;

4. Calls for a larger role for the European Union in the management of humanitarian emergencies linked to migratory flows and asylum seekers;

5. Believes, therefore, that countries should be given access to the technical assistance and funding provided for under the ARGO programme, the European Refugee Fund, the European External Borders Fund, the European Integration Fund and the European Return Fund for the period 2007-2013;

6. Calls for more funding to be made available to NGOs working on the ground to provide critical emergency assistance;

7. Believes in the need to set up effective information campaigns in countries of origin and transit on the conditions for obtaining work and access to education; calls at the same time for negotiations with countries of origin and transit to ensure that they play an active part in helping to manage the immigration flows; such agreements should not undermine the European Unions commitment to defend and protect human rights;

8. Calls on the Commission to propose, as soon as possible, the creation of an emergency fund to finance

'expert support teams' to provide practical assistance for reception at borders and tackle humanitarian crises in the Member States, and to incorporate in the new funds for the period 2007-2013 an emergency mechanism allowing financial assistance to be provided in emergency situations;

9. Calls for a common immigration policy that does discriminate either on the basis of country of origin or on the skills levels of migrants;

10. Deplores the failure of the Council, five years on from the Tampere European Council and despite the numerous requests from Parliament, to define a common immigration policy using the Article 42 passerelle to move the question from the third pillar to the first pillar; deplores the fact that, according to Agence Europe of September 22 2006, the Czech Republic, Ireland, Germany, Poland, Malta and Cyprus still opposes using this procedure;

11. Believes that a coherent European immigration policy can only be successful if linked to an integration policy to secure the integration of migrants into the labour market, access to schools and education, social and health services and access to social, cultural and political participation;

12. Believes that border checks and action to combat illegal immigration can be only one aspect of the EU's policy towards third countries, to which an active development policy must be applied with a view to minimising the damaging effects of emigration;

13. Reiterates the need for a Community immigration policy based on the opening-up of legal immigration channels and on the definition of common standards to protect the fundamental rights of immigrants throughout the Union, as established by the Tampere European Council in 1999 and confirmed by the Hague Programme;

14. Stresses that the global economic institutions have in fact exacerbated poverty in Africa, on a basis of competitiveness between unequal partners and policies such as structural adjustment programmes, privatisation of public enterprises and liberalisation of markets imposed by rich countries and international financial institutions;

15. Believes that mass immigration is a result of failing economies, impoverishment of the population, human rights violations, environment degradation, the widening gap between rich and poor countries, civil war, wars for control of natural resources, political persecution, political instability, corruption and dictatorships in many of the countries of origin;

16. Demands a greater commitment from the EU Member States and the European Commission to changing their current policies, including the dumping of EU products on third world markets, in order to allow African, Asian and Latin American countries to protect and build their economies and guarantee a decent income for the population, which is the only way to reduce clandestine immigration;

17. Stresses that any comprehensive approach to immigration should address the 'push factors' that lead people to leave their countries in the first place, necessitating clear plans for development and investment in the countries of origin and transit, as well as the development of real possibilities for legal migration (EU type 'Green Card') towards the European Union;

18. Stresses that any measures to combat illegal immigration and step up external border controls, even where in cooperation with third countries, must be compatible with the guarantees and fundamental rights of the individual laid down in the Charter of Fundamental Rights of the European Union and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), notably the right to asylum and the right of non-refoulement;

19. Calls on the Council, the Commission and the Member States to ensure that immigrant women and immigrant girls, particularly when victims of physical and psychological violence including the continuing practice of forced or arranged marriages, are guaranteed a residence permit and that all administrative measures are taken to protect them; including effective access to assistance and protection mechanisms;

20. Calls on the Council, the Commission and the Member States to take all necessary action to protect the rights of immigrant women and immigrant girls and to combat the discrimination they face in their community of origin by rejecting all forms of cultural and religious relativism which could violate women's fundamental rights;

21. Urges the Council as a matter of urgency to activate the Article 42 TEU and Article 67(2) TEC passerelle clauses, whereby use of the co-decision procedure and qualified majority voting would facilitate an end to the current legislative impasse;

22. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.

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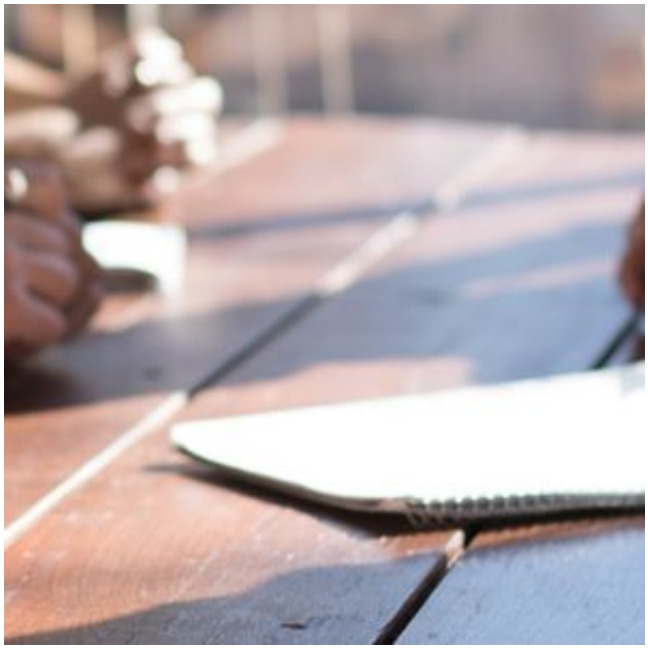
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