

MEMORANDUM TO THE COMMISSION

Communication on common principles for the further development of the Common Immigration Policy: a platform for a new European approach

Since 1999 – when for the first time the Treaty of Amsterdam conferred powers to the European Community in the area of immigration, including visas and borders – the EU and its Member States have gradually established the foundations for a common policy addressing different aspects of immigration. The Tampere principles agreed in 1999 and further developed by the Hague Programme in 2004, were reconfirmed by the European Council of 21-22 June 2007, which clearly stated that "*recent events have demonstrated once again the need to make rapid progress in developing a comprehensive European migration policy based on common political principles, capable of taking account of all aspects of migration, based on a genuine partnership with third countries and fully integrated into the Union's external policies*"¹. The need for further developing such comprehensive European immigration policy has been stressed by the European Council in several occasions, notably in its conclusions of December 2007: "*Further developing a comprehensive European migration policy complementing Member States' policies remains a fundamental priority in order to meet the challenges and harness the opportunities which migration represents in a new era of globalisation. The European Council accordingly underlines the need for a renewed political commitment*"². Such renewed commitment shall be based on the clearly recognised fact that "*The European migration policy builds on the conclusions of the Tampere European Council in 1999, The Hague Programme of 2004 and the Global Approach to Migration adopted in 2005. It is based on the solidarity, mutual trust and shared responsibility of the European Union and its Member States. It is also based on respect for human rights and fundamental freedoms of migrants, the Geneva Convention and due access to asylum procedures. It requires a genuine partnership with third countries and must be fully integrated into the Union's external policies*"³.

With this Communication the European Commission intends to strongly contribute to the further development of the common immigration policy, responding, on the one hand, to the request of the December 2007 European Council and, on the other, presenting its views for the political discussion under the French Presidency on a "European Pact on Immigration", to be approved by the European Council in mid-October. This Communication is based on the principles established and on the achievements made since 1999, and in particular it develops and concretises the building blocks of this renewed political commitment, presented in the Commission Communication of 12 December 2007, by means of Common Principles and Operational Measures. This first indicative list of principles and measures, together with the Policy Plan on Asylum presented in parallel, will feed into the debate leading in 2009 to the a new 5-years Programme in the Justice, Freedom and Security area and will contribute to the definition and implementation of other policy areas.

The Commission is requested to adopt the Communication and to transmit it to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions for their opinion.

¹ Presidency Conclusions of the European Council of 21-22 June 2007, paragraph 16.

² Presidency Conclusions of the European Council of 14 December 2007, paragraph 16.

³ Presidency Conclusions of the European Council of 14-15 December 2006, paragraph 22.