

**12715/04**

**LIMITE**

**MIGR 75**

**TRANSLATION PROVIDED BY PRESIDENCY**

**NOTE**

---

from :            Presidency

---

Subject :        Partnership with third countries and migration management

---

**Objectives**

To establish closer partnerships with third countries. To strengthen EU migration management, including legal migration and return policy.

**Measures**

1. Partnership with third countries
  - Cooperation with third countries to combat illegal immigration will be intensified, for instance by applying the evaluation mechanism created under the Italian Presidency.

- Migration and development. In accordance with the comprehensive approach to migration, as agreed in the Tampere programme, efforts to reduce poverty and prevent conflict should be examined in the light of solutions to migration problems and the prevention of push factors. Development aid funds may be used to prevent serious push factors and facilitate the integration of migrants and reintegration of returnees. . In addition, migration must be managed more effectively and more must be done to tackle all aspects of illegal migration as part of the strategy to achieve good governance in countries of origin and transit.

## 2. Return

- The 2002 action plan on return should continue to be further implemented in the near future. A vital component of this Plan is the adoption of common minimum standards for return procedures. In the light of the objective of achieving a common area of freedom, security and justice, the same minimum standards should possibly also apply to removals carried out in connection with threats to public order and security. A common policy on return to specific countries and regions must be adopted as part of an effective Community return strategy. A (structural) financial instrument should be created for this purpose.
- Negotiations on readmission agreements will, where possible, be linked to negotiations on cooperation or association agreements.

## 3. Legal migration

- Legal migration should play a role in partnerships with third countries in a manner that is beneficial to the interests of Member States, third countries and migrants themselves, notably in cases of temporary labour migration.
- The EU must develop flexible admission procedures capable of responding promptly to fluctuating demands for migrant labour in the European labour market. Legal migrants must be able to find out without difficulty what prospects the European Union can offer them. Decisions on the admission of migrants and the sectors in which they can be employed falls within Member State competence.
- An action plan on legal migration must be adopted by the end of 2005. It should encompass the outcomes of the debates on the Green Paper on labour migration which the Commission is currently preparing.

**Propositions:**

1. The application of the evaluation mechanism will be a key principle in shaping cooperation with third countries.
2. In cooperation with third countries a link should be made with development policy, where appropriate , particularly in relation to push factors, good governance and reintegration.
3. Minimum standards for return procedures, which are also important from the point of view of safeguarding public order and security, should be adopted as soon as possible.
4. A greater effort must be made to reach agreement on a common approach to return to specific countries and regions. A Community Return Fund should be created for this purpose by 2007.
5. Negotiations on readmission agreements should be linked to negotiations on cooperation and association agreements.
6. Negotiations on the signing and implementation of readmission agreements should aim to integrate readmission policy with EU policy in other areas.
7. The Commission will be requested to draft an action plan on legal migration to be adopted by the Council before the end of 2005.

-----